

# **LINCOLN PLANNING BOARD**

**APRIL 12, 2006**

## **MINUTES**

**A special meeting of the Planning Board was held on Wednesday, April 12, 2006, at the Town Hall, 100 Old River Road, Lincoln, RI.**

**Chairman Mancini called the meeting to order at 7:02 p.m. The following members were present: Patrick Crowley, John Mancini, Gregory Mercurio and Gerald Olean. Absent were David Lund and Michael Reilly. Also in attendance were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand, Town Solicitor Mark Krieger, and Assistant Town Solicitor Roger Ross. Margaret Weigner kept the minutes.**

**Chairman Mancini advised four members present; have quorum.**

## **SECRETARY'S REPORT**

**There was no secretary report for review.**

## **MAJOR LAND DEVELOPMENT REVIEW**

- a. Lincoln Ridge Business Park AP 41 Lot 58 Master Plan Discussion/**

**Approval**

**Mr. Ranaldi stated that the applicant received a Certificate of Completeness on January 17, 2006 and the Board has until May 17, 2006 to approve, approve with conditions, or deny. A public informational meeting was held on this project and has been reviewed extensively by the Planning Board at Master Plan level. It is the commercial development of one single lot containing fifteen (15) acres into one commercial building with associated parking and an entrance onto George Washington Highway. The Town Solicitor corrected a mistake regarding the changing of the agenda and the applicant is again before the Board for a reconsideration of Master Plan as properly noticed on the agenda. The Technical Review Committee (TRC) has reviewed all of the submissions for Master Plan and recommends approval of the Master Plan with the conditions listed in the TRC report. Chairman Mancini asked about the condition relating to the water hookup and if water should be looked at during the Preliminary Plan level. Mr. Ranaldi stated that water is considered at Preliminary Plan level, but while reviewing the plans at Master Plan level, the Town realized that the Lincoln water line does not extend to the front of the building. The TRC asked the Lincoln Water Commission (LWC) what options the developer had. The LWC superintendent stated that the developer had two options – 1) extend the water line approximately 600-900' to the building, or 2) tie into Smithfield - Smithfield water comes up to the Town border.**

**Smithfield has given preliminary approval with conditions to the connections. One condition is that the applicant performs a hydraulic modeling by the Town of Smithfield's consultant and does any recommendations that the modeling may require. Smithfield is confident that the applicant can connect to their water system – LWC has signed off as giving their blessing that the applicant connect to the Smithfield water system. Mr. Mercurio asked if there was a letter in the file regarding the water hookup from Smithfield and Mr. Ranaldi replied yes.**

**Mr. Thalmann stated that he was available to answer any questions that the Board may have. Mr. Olean asked if he read the TRC report and if he had any comments on the report. Mr. Thalmann stated that he read the report and has no objections to the conditions. He anticipates going through the regulatory process with RI Department of Environmental Management (RIDEM) and RI Department of Transportation (RIDOT) within the next four weeks and coming back before the Board for Preliminary Plan approval.**

**Mr. Olean made a motion to accept the recommendations of the TRC and grant approval at the Master Plan level. Mr. Mercurio seconded motion. Motion passed unanimously.**

**b. Lincoln Point AP 31 Lots 38 & 40 Master Plan Discussion/  
Lincoln Point, LLC George Washington Hwy. Approval**

**Mr. Ranaldi stated that this is the same situation as the last one with the posting of the agenda. This is a development of one lot into approximately 150 over 55 dwelling units off of George Washington Highway. They are proposing two buildings with associated parking. This project fits all of the subdivision regulations for Master Plan review. There are some concerns - drainage, traffic, and utilities that will be addressed at the Preliminary Plan review. A public informational meeting was held. The TRC reaffirms their recommendation of Master Plan approval for this application. Chairman Mancini asked who was representing the applicant. Al Constantino stated that he could answer any questions. Mr. Olean asked him if he was familiar with the TRC report and Mr. Constantino stated that he was not. Mr. Constantino stated that he represents the owner Cloverleaf III, LLC and that the owner received a termination and assignment of interest back to the owner Cloverleaf III, LLC, Ralph Branca. He met today with Mr. Ranaldi. Chairman Mancini stated that approval would be based on the conditions recommended by the TRC. Mr. Constantino has talked to the development team that was onboard with the proposed purchase of the property. They plan to come back before the next full meeting but is willing to accept the terms as of now. Chairman Mancini stated that if there are any problems, he should contact the Town Planner. Nothing is done at this level - Master Plan is just a conceptual plan that is being approved.**

**Mr. Mercurio asked if the change in transition means there is a**

**change in ownership, and if there is, does that mean that the applicant is now a new applicant. Mr. Ross stated that his understanding is that there is an option agreement released back to the owner; therefore, the option does not exist anymore. The applicant is still the applicant and the owner.**

**Mr. Olean made a motion to accept the recommendation of the TRC and grant Master Plan approval. Mr. Mercurio seconded motion. Motion passed unanimously.**

**c. Lincoln Park AP 42 Lot 24 Public Hearing – 7:15 p.m.**

**UTGR Louisquisset Pike Preliminary Plan Discussion/  
Approval**

**Chairman Mancini explained the process for the public hearing – the Town Planner will give a brief rundown on the renovation of this development, then the developer will make a presentation, then the Board may ask questions, and then the public will have the opportunity to speak.**

**The list of abutters was read and there were thirteen abutters present.**

**Mr. Ranaldi stated that there was a mistake in the TRC report and he failed to report that on March 22, 2006, this application received Master Plan approval. They are now at Preliminary Plan approval.**

**This is a land development review. This is a commercial development of one parcel of land. The TRC has extensively reviewed the application and has received all Preliminary Plan documents regarding the parking lot layout, the proposed drainage system, and due to the nature of the project, the applicant has gone above and beyond and has proposed offsite improvements to the surrounding roadways – namely Twin River Road and Old Louisquisset Pike. This was on recommendations from RIDOT from the Town – those documents were reviewed also. The TRC examined the environmental and drainage of the existing site – there was minimal onsite drainage to capture runoff. The applicant has significantly developed a retention/detention system throughout the development to capture runoff, detain it onsite and to treat anything through a retention system. The TRC has reviewed all of the analysis that went up to a 100-year frequency flood in the analysis. The facility is connected to the sanitary sewer system and any expansion would have to be approved by the Narragansett Bay Commission (NBC). This project has been reviewed and approved by NBC. Water is currently available to the site. The LWC has stated that water is available to the site, but there are a number of lines that are unmarked/unrecorded on the property. The LWC would like the applicant to put together a master meter and backflow assembly at the roadway within six months of receiving Preliminary Plan approval. The LWC pipe would start and end at the Master meter, and their private pipes would flow from there and there would be a backflow preventor which would help ensure the backflow would not enter our**

**public water system. The applicant has agreed to that and is in the process of designing and incorporating it into their plans. Traffic within the site is significantly improved over current conditions. A landscape architect has designed parking areas and landscaped berms around the parking area. There is a boulevard effect through the park, which will serve as the artery, and then people will go into the certain parking areas. Extensive landscaping is proposed around the detention basins, parking areas, and borders of the facility. The TRC looked at the offsite impacts and looked at the proposed solutions to them. This was in conjunction with RIDOT who has engineers that look at this extensively. The Town has reviewed it and found it acceptable. One of the elements that was looked at is consistency with the Comprehensive Plan. The TRC found that the application is consistent with the Comp Plan and mitigates any type of offsite impacts that may arise. The TRC feels that barring any other unforeseen issues that come about from the public hearing, this application is at the Preliminary Plan where they have “dotted all their I’s and crossed all their T’s”. The TRC recommends approval with the following conditions:**

- 1. LWC - A master meter and backflow assembly be installed as shown on drawing C12.09, within six (6) months of the date of Preliminary Plan approval.**
- 2. RIDOT Physical Alteration Permit (PAP).**

**Mr. Olean asked for a clarification on page 4 under Water Service –**

**“Any expansion or change to the wastewater flow is required to be certified by the LWC...” Mr. Olean asked if wastewater flow was correct. Mr. Ranaldi stated that it should be water flow.**

**Attorney Peter Ruggiero is representing the applicant. Chairman Mancini asked if he had a copy of the TRC report and Mr. Ruggiero replied that he is in full agreement with the recommendations and has no objections to the conditions recommended to be imposed. He submitted a letter outlining the documentary evidence that is in the record. It sets forth the evidence already submitted and reviewed by the TRC and a certified transcript from the Master Plan hearing from March 16, 2006 and March 22, 2006. The applicant is here seeking Preliminary Plan approval and also asking to delegate final approval to the Administrative Officer. We recognize that there are only four board members present and the applicant is aware of the need of a majority vote of the Board. The applicant has agreed to go forward. He stated that there are a number of people present: Mr. Heaton, General Counsel of Lincoln Park, Craig Sculos, General Manager, Robert Corbett, Project Manager, Mr. Martin from Fuss & O’Neill, the civil engineer, Mr. Bloomer from Pare Engineering who prepared the traffic analysis, Arthur Eddy, (not present) prepared the landscape plans, and Mr. Lombardo did the Land Use Plan and Comprehensive Plan consistency report. Mr. Sculos will do a presentation.**

**Mr. Sculos stated that they are approaching 24 months into this project – they have been before the Board, Town Council, and various**

agencies. They have held a number of informational meetings with local business owners and residents. They believe they are in compliance with the Town's Comprehensive Plan. Both local and state fire marshals have worked on the project. He will address parking and onsite traffic will be reorganized and reconfigured for safety and compliance reasons. Back in the day when the facility was first constructed, Lincoln Park could accommodate 20,000-40,000 people with 10,000-20,000 parking spaces. Prior to start of project, there were approximately 3,400 paved spaces and they have the ability using older spaces, gravel spaces, flat areas to accommodate another 500-1,000 cars, bringing the total to 4,000 or so plus. Under the phased-in approach, they are attempting to add another 1,000 parking spaces to the initial 3,400 bringing us to a total of 4,400 under Phase I, and adding 1,500 at Phase II bringing a total of 5,900 parking spaces. A parking garage only becomes a factor if business warrants. That would be a 2,000-car garage making up a 1,500 net gain for the facility. They have worked with RIDOT and BLB is carrying all expenses related to this project. For five decades, the facility operated with the majority of guests arriving and leaving at the same time. That is no longer true for our facility – they open at 9 am and close at 1 pm. The peak periods now do not coincide with the peak periods of traffic around us. Traffic enhancements include new signage, new traffic signals, left hand lane coming off Louisquisset Pike and into the new facility, reconstruction of the intersection of Twin River Road and Louisquisset Pike, and a long-standing request from the town to install traffic signals at Cobble Hill Road and Angell

**Road.**

**Mr. Sculos stated that they have been working with the experts – Fuss & O’Neill, Pare Engineering, Gates & Leighton, Joe Lombardo. They are committed to work with the Town, to be good corporate citizens, and to work with the neighbors, both immediate and within the community.**

**Mr. Crowley stated that he received a flyer and read part of it aloud. He asked Mr. Sculos if the park was prepared to bargain in good faith with all of the unions and workers that are represented at Lincoln Park. Mr. Sculos stated that Lincoln Park has a history of working with unions, and negotiating in good faith has been a hallmark of Lincoln Park, it is a mandate from BLB, and there are eight unions present. Over 100 local residents are employed at the Park. Mr. Crowley asked Mr. Sculos to explain UTGR. Mr. Sculos stated that UTGR stands for United Track Greyhound Racing, the operating group and BLB is the ownership group.**

**Chairman Mancini asked resident Ed Slattery to hold up his sign. He wanted the public to be aware that the public hearing is to consider the renovations at the park, not to determine if there will be a casino there. What is in front of the Board is a renovation plan of the park.**

**John Cullen of 99 Old River Road stated that as far as the sign goes, this goes back to 1994 when the Town of Lincoln had the chance to**

**vote for a casino. The Town defeated the vote for a casino. He is aware that there was a meeting held on this expansion, and he wanted to commend Planning Board member Michael Reilly on his dissenting vote. He is disappointed that Mr. Reilly, Ms. Hopkins, and Mr. Lund are not present at this meeting. He wants the Town to have a say in a casino – this is clearly an expansion. Various boards should have the interests of Lincoln citizens in mind, particularly the people who live around the track. He wants the Board to say this is an expansion. As a citizen since 1854, he finds it as an insult that the park has already started construction – the steel is going up. He finds it as an insult to the community that the park is going forward with construction without approval. There should be a cease and desist order on this property. He is asking the Board to take a ride to the park and see the expansion going on. (People started to applause.) Chairman Mancini admonished the crowd for applauding. He stated that he does not allow that type of behavior in his meetings – it is not a popularity contest; everyone has an opportunity to speak.**

**Mr. Cullen thanked the Board for allowing him to say his peace as he has a deep love for the Town. As far as an expansion is concerned, Lincoln should have a vote on the issue. He is familiar with many of the people in the audience and is asking the Board to allow the people in Lincoln to vote on the project. BLB came before the Town Council and the Council said no to an expansion. The citizens should have a vote on the matter.**

**Chairman Mancini stated that he wanted to make it known that Mr. Reilly is not tied and gagged in a back room – he is in Boston and was unable to attend the meeting.**

**Edward Slattery of 7 Sheffield Drive stated he is concerned about the Comprehensive Plan (page 38). “Any future use of the site, should decrease, not maintain or increase the current impact that the track has on surrounding residential areas.” That statement has a lot of power. He also talked about an article in the Providence Journal on March 23, titled Lincoln Park expansion approved. He realizes that the Town is trying to do something with the traffic to keep the flow going. There is a lot of traffic coming from the park, especially down Front Street. The Town does get a lot of money from the track, but the Town lived before the track. He asked the Board to consider the expansion very carefully. The track is moving closer and closer to the neighboring homes. Mr. Crowley asked about page 38 that Mr. Slattery referred to and found it as page 24 in Economic Development. Chairman Mancini stated that the park is mentioned in two or three sections of the Comp Plan.**

**Mr. Ross explained that according to state building laws and codes, temporary permits may be issued for foundations and any portions of the building prior to the full submission of construction documents with the understanding that any work done is done at the risk of the builder, and in the event the permit is not given, then all of the work**

comes down. It is appropriate to go forward without this Board's approval as long as they are aware that they are doing it at their own risk.

George Panichas stated that he represented B.A. Dario thirty-five years ago. Jim Costello, a state senator, came to him for help. They worked together to put a bill in to give the Town 1% of the dog track. There is so much traffic from the track, that people built million dollars home near the track. He developed Fair Oaks. As far as the expansion is concerned, B.A. Dario bought 100 acres – it cannot be expanded more than 100 acres. Lincoln Downs employed many residents. He asked the people in the audience who owned the track – the state of Rhode Island owns that track – the state gets 60% of the track. The Town is likely to make more money from the track – the more money the track makes, the more the Town gets.

Patricia Messere of 145 Twin River Road stated that she lives directly across the street from the track. They just moved here in September. How is the traffic pattern going to affect Twin River Road? Would any of their property be taken? Where is the roundabout? Mr. Bloomer stated that a roundabout is proposed just to the west of the entrance to Lincoln Park, approximately 300' west towards her house. Her house will be 800' away from the intersection. Roundabouts are being proposed throughout the state and RIDOT is requiring any intersection projects to investigate and disprove that a roundabout is the best solution – we will see roundabouts throughout the state.

**She wishes that she had known when they bought the property in September – 800' is not a great distance away from their driveway.**

**Stu Giannini of 1629 Old Louisquisset Pike is interested in knowing what is going on with the three houses for the extra lane on Old Louisquisset Pike as no one has come to him and told him anything, instead he comes home to find spikes hammered in his front lawn. Mr. Bloomer explained that the poles would be moved back to allow widening of the intersection at Louisquisset Pike and Twin River Road. All of the widening will be done in the state right of way. Some utility poles will be relocated in the vicinity of the first three houses. Mr. Giannini stated that he just thought it was arrogant that he was not notified. Mr. Ranaldi stated that many public meetings were held, plans have been available and several residents have come into Town Hall to review the plans. He offered Mr. Giannini the opportunity to come in and review the plans.**

**Jim Spooner of Lonsdale stated that he was employed by the track for many years and has nothing against the changes up there. It is good for the community. There are a few drawbacks - the gentleman who spoke before him. He remembers when he was in real estate, that along Louisquisset Pike, 50-60' of someone's front lawn is state property. New people to the community are surprised by the markings being done by the state. Traffic on Route 123 at Route 122 is bad – he believes the track is a contributor to the traffic. The Town is no longer 4,500 people – it is now 20,000 people. The track has**

been very good to the community. He would not have a problem giving a favorable consideration if he was on the Board.

Richard Clegg of 7 Wake Robin Road stated that he has been a Lincoln resident for 40+ years and has worked at the park for the last 3 years. You always seem to hear the opposition. He is not opposed to it because he is not in a hurry to see his taxes go up or to see 1,000 people lose their jobs.

Keith Williams of 1633 Old Louisquisset Pike (corner of Twin River Road). He is an employee of the park. He is not opposed to the expansion. As far as turning traffic around, he is against it. There is no traffic going through that intersection. There is more traffic from the college than anything else and that traffic is at 7:30-8 am and 4-5 pm.

Matthew Milas of 1 Terrace Way stated that he lives close to Old Louisquisset Pike and travels the road a couple of times a day – morning and evening. He never suffers from any traffic and he hears a lot of issues around traffic at the racetrack, and he never really sees it. He does not gamble at all, but he did go to the Comedy Club, had a nice dinner, and was able to stay in Lincoln. It was a nice experience.

Jim Jackson of 1615 Old Louisquisset Pike stated that the right of way is being used. It looks as though it is being done on the east side of the Pike where all the houses are close to the road. He will

not be affected because he is further down the road. It seems strange that the change is not being made on the west side of the road considering the once piece of property the track does not own sits much further back from the road. That improvement could have been made jugging the road a few feet to the west. The traffic engineer should have a good explanation for that. He has seen the stakes in the lawns. Most of the traffic is commuters and kids going to Davies and CCRI. Why are they making the changes on the east and not on the west side?

Mr. Mercurio asked how much of the changes are actually under the direct control of the developer and under the purview of the Board to approve or reject versus what RIDOT is insisting be done regarding the roads. It is his understanding that most of the road work being done is directed by RIDOT, not by the developer, and is not even under the purview of the Board. Mr. Ranaldi stated that he is correct – all of the roads that are being reviewed are owned by the state and under the purview of RIDOT. If RIDOT came out and said this is how we want to improve the roads, the Town has no authority over state roads. Mr. Mercurio wanted it clear that the Board, Town, or developer has no control over how the roads are being arranged – it is dictated by RIDOT. Mr. Ranaldi explained that the Town has an opportunity to request improvements to state-owned roads located within Town – Transportation Improvement Plan (TIP). Based on residents' concerns, the Town submits requests. The town's request are evaluated, designed, funded and implemented. That process

takes about ten years. Having a private entity accelerate the process is a great benefit to the Town. The Angell Road intersection has been submitted to TIP and rejected; because someone else is paying for it, they are putting it in. Mr. Bloomer stated that the improvements in question are the northbound lane on Old Louisquisset Pike approaching Twin River Road. The actual improvements are developing two left turn lanes onto Twin River Road, a single through lane, and a small right turn slip lane. The two left turn lanes are needed due to a large volume of traffic traveling west bound on Twin River Road. That traffic originates south of the site and could easily use the existing exit on Twin River Road. The lanes cannot be further to the left because the left turn lanes would block off the southbound lane – they have pushed the lanes as far to the west as possible.

Debbie Ingham of 1646 Louisquisset Pike stated that she is the house on the west and if land were taken from her side, she would never get in and out of her driveway. She thought there was going to be no movement of telephone poles. She asked about the poles that were being moved. Mr. Bloomer explained the poles in the area of Old Louisquisset Pike and Twin River Road, the area of the roundabout, and the area of Cobble Hill Road will most likely have to be relocated. They are working with the utility companies.

Joe Almond of 6 Brookside Drive stated that he has lived in Town for about 40 years. He wanted to talk about other impacts in addition to traffic. Lincoln Park is a good neighbor. When Lincoln Mall came to

**Town in the 1970's, it was welcomed with open arms. There was a lot of crime – people would be shocked. Lincoln Park has a mandate to help the Town any way they can. In addition to taxes, fees, and shares from VLT's, the park hires police officers and firefighters daily to minimize/eliminate impact on the Town's services. It has been very effective and successful and will be expanded if necessary.**

**Ed Saccoccia stated that he has lived in town for two years, formerly of Cranston. Lincoln Park is the best thing that ever happened to Lincoln. The park will generate revenue for the Town and you will not be taxed like Cranston.**

**Pedro Paulo of 1581 Old Louisquisset Pike stated that his taxes have gone up twice. He lives directly across the street from the old entrance and would like clarification on what is owned by the state on either side of the road. There is a little jet of parking – Plan #9- where the land was just flattened out and extends to the state property line. If the state owns 50' on both sides, then the park is building on state property. That is coming to the state property line. Mr. Ruggiero asked if he was asking about the area that has recently been disturbed. Mr. Martin of Fuss & O'Neill wanted to make a point of clarification as far as the right of way. The right of way is different depending on the location and road layout – in this particular location, the state right of way is approximately 20' from the edge of pavement. It is outside of the state right of way. It is in an area that was previously used as a parking lot. Chairman Mancini stated that**

the Board is looking at what is going on internally, not externally on state property. Mr. Paulo stated that he is looking at the parking lot as being another entrance in the future. Chairman Mancini stated that if the park expands in the future, they would have to come back before the Board – this is not a phased project – everything that is going on now is being discussed now. Mr. Paulo asked if the Board allows the parking area so close to state property. Chairman Mancini stated that the Board does not deal with the zoning laws in dealing with state property. Mr. Paulo commented that if he wanted to build, he would have to get town approval. Chairman Mancini stated that he might only have to apply for a building permit and see the zoning official. Mr. Paulo asked if he could build a heliport in his front yard and Chairman Mancini replied that he could if his property was zoned for that.

Ed O'Neill of 2 Lladnar Drive stated that he has driven through and looked at the expansion going on. He wants to understand what is going on – they see the steel going up, the equipment in place moving earth, and the parking lots being expanded. Mr. Ross shed some light on that issue. Many people did not understand that. Most people wish the park well. When the Emerald Mall was built, the developers built, staffed and equipped a complete fire station right on the property. As the park grows, a rescue should be considered at the fire station adjacent to the park. The developer should consider funding the rescue to provide service to the park and residents of Lime Rock.

**John Scanlon of Front Street stated that he has lived in the same house for 45 years. The traffic is there – he has problems getting out of his driveway. Another concern is the historic district of Great Road.**

**Chief Frank Sylvestre of the Lime Rock fire department stated that he has been the chief of Lime Rock for 18 years. He has been a career fire chief for 40 years and has a degree in Fire Science and Administration from Roger Williams College. What happened at Emerald Mall is the developer negotiated with the fire department. During negotiations, the developer made an agreement to hire five firefighters and pay their salaries and benefits for ten years and purchase a fire truck. The developer gave the fire department the land, but did not build the station. The fire department had to build the building according to the mall design plans. The Lime Rock fire department was not part of any negotiations. They do review all of the plans of the park and must stamp the plans. Lincoln Park exceeds the fire codes in the state of RI. He sat on the Fire Commission to update the codes after the Station nightclub fire. He wished he did have a chance to negotiate with the park because he thinks he could have gotten a new ladder truck for the taxpayers of Lime Rock. The fire department charges for the plan reviews and has brought in \$100,000 and looking at bringing in another \$300,000-400,000 in plan reviews. Mr. Mercurio asked the chief to explain that Lime Rock fire department does not have control over the**

rescue squad. Chief Sylvestre explained that here are two rescue squads in Town – Lonsdale and Albion. The rescues are part of the Town - under the Town budget and run by a director. The fire department responds to every call in Lime Rock – there are two firefighters on duty at the park – and one has to be an EMT. They have reviewed all of the plans with Pare Engineering and the site plans for the fire hydrants. At the last meeting, Mr. Bloomer indicated that when an alarm sounds, the fire trucks would be going down the Pike and not Twin River. In the building they're putting up, there is a back of house – that's where the fire pumps will be. Mr. Mercurio stated that he has had people calling him about the impact of the traffic and roundabout on the ability of the fire trucks to get in and out of the fire station. Chief Sylvestre stated that he wanted to make sure that they would not take any part of the fire station land, as the trucks are 37' long. They agreed not to take any of the land. Mr. Mercurio asked the chief if the way the roundabouts have been constructed, that they have no negative effect on your ability to get out into the traffic and respond. Chief stated that there is no negative effect on the trucks responding. In the future, a system will be installed inside of the trucks; the fire apparatus can control the light.

Ron Stewart of the Lincoln Taxpayers Association has great concerns with roundabouts. He would like a clarification between roundabout capacity and traffic circle and what arrangements are being made for heavy vehicles, bicycles, and pedestrians, and whether the roundabouts conform to federal highway administration standards.

He is also concerned about the passage of a bill, which Mr. Menard is proposing for full casino gambling for Lincoln. Chairman Mancini told him to focus on what is being presented here – there is nothing in front of the Board relative to full casino gambling. Mr. Stewart stated that the renovations are prelude to a further expansion – the facility appears to be at capacity. It is a dangerous situation that will change the character of Lincoln for the worse.

Hal Perry of 21 Twin River Road stated that he has lived on Twin River Road for 48 years. There is much more traffic coming down that road. There are two lanes going down to a one-lane road. He has had cars on his front lawn, has lost mailboxes, has had cars hit coming into his driveway. He has a camcorder set up out of his windows on busy nights. There is a big increase in traffic.

Anthony Cimini of Old Louisquisset Pike stated that he is an abutter to the track – approximately 2000' away. They have been there a little over a hundred years and has lived with that track – he has made a living off the track. The track has been very good to him and his family. If anyone with a problem goes to Mr. Sculos, Mr. Sculos will take care of it. He was having problems with dust and Mr. Sculos had the situation taken care of. There are granite markers on the property that belong to the state. It is the best thing that ever happened to Lincoln – what they're doing right now.

Debbie Ingham asked why the calls from the fire station are going to

go down the Pike and not down Twin River. Mr. Olean explained that the back of house would be off of Louisquisset Pike. Chief Sylvestre explained that the pump house is being moved to that side of the track. It will be quicker to go down the Pike. Ann Ingham stated that she has a problem now with the right hand turn on red. There are many accidents there now.

Mr. Mercurio made a motion to close the public hearing. Mr. Olean seconded motion. Motion passed unanimously.

Mr. Mercurio made a motion to grant Preliminary Plan approval to Lincoln Park for the following reasons: he has heard insightful conversation – he thanks everyone for coming tonight. He heard three concerns – 1) expansion – that it is not in concert with the Comp Plan. He thinks expansion does not mean intrinsic growth within the demised borders of Lincoln Park – it meant growth beyond the 100 acres that is the demised borders of the track. Expansion of the business of the track itself does not mean expansion beyond the demised borders. There is increased traffic; however, it is not peak traffic - it is continuous traffic, consistent flow, and is no different that what we see in front of Lincoln Mall. The other issue is premature building- he also had concerns and called Mr. Ranaldi and the building inspector and it was explained to him that they had the ability to do that by state and local law. The last comment he wanted to make was that a lot of people are making a big issue of what is and isn't in the Comp Plan. A plan is no good if it does not adapt to

changing of circumstances. It is called the Comp Plan because it has to be adaptable to an evolving change in circumstances. The changes warrant Preliminary Plan being granted. His main concern was health and safety, and the Lime Rock fire chief adequately answered the questions tonight. He would ask for a vote to be taken. Mr. Olean seconded motion. Vote taken by roll call – Mr. Crowley – Aye, Mr. Olean – Aye, Chairman Mancini – Aye, Mr. Mercurio – Aye. Vote is four in favor – vote carries.

Mr. Mercurio made a motion to grant final approval to the Administrative Officer. Mr. Olean seconded motion. Motion passed unanimously.

There being no further business to discuss, on a motion made by Mr. Mercurio and seconded by Mr. Crowley, it was unanimously voted to adjourn. Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Margaret Weigner

Attached April 12, 2006 TRC Report:

**On April 10, 2006 at 2:00 pm, the Technical Review Committee met to review the agenda items for the Special Planning Board meeting on April 12, 2006. In attendance were Al Ranaldi, Russell Hervieux, Kim Wiegand, John Faile, and Diane Hopkins. Below are the Committee's recommendations:**

### **Major Subdivision Review**

### **Major Land Development Review**

**a. Lincoln Ridge Business Park AP 41 Lot 58 Master Plan Discussion /**

**- Polseno Properties Management George Washington Hwy Approval**

**This application is under the 2005 Subdivision Regulations and represents the commercial development of a single lot containing approximately 15 acres. This project is in front of the Planning Board for a Master Plan Land Development Review. On January 17, 2006, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision**

**on the Master Plan review must be made by May 17, 2006 or within such further time as may be consented to by the applicant. This project is in front of the Planning Board for a Master Plan Review.**

**The Technical Review Committee and the Engineering Division has reviewed the above proposed subdivision according to the 2005 Land Development and Subdivision Regulations master plan requirements and standard engineering practices. The plans reviewed were entitled "Preliminary Design Plans- Phase I Lincoln Ridge Business Park, AP 41 Lot 58", Lincoln, Rhode Island, sheets 1-8, prepared for Polseno Properties Management, LLC by Thalmann Engineering Co., Inc., dated November 2005. Additional information received includes:**

- 1. "Traffic Impact Study, Route 116 Commercial Development, prepared for Thalmann Engineering Co., Inc., prepared by RAB Professional Engineers, Inc. November 2005,**
- 2. Drainage Report & Calculations, Lincoln Ridge Business Park, George Washington Highway, AP 41 Lot 58, Lincoln prepared for Polseno Properties Management, LLC by Thalmann Engineering Co., Inc., dated December 8, 2005,**
- 3. Lincoln Ridge Business Park- Phase I, Major Land Development, George Washington Highway AP 41 Lot 58, Master Plan-Development Impact Narrative, dated December 8, 2005**

**The application was reviewed by the Technical Review Committee and the Planning Board during their January 25, 2006 meeting. Based on that meeting, there was only one significant concern. The concern was the availability of public water to the site. The applicant has**

successfully addressed this concern and has established that public water is available from the Town of Smithfield. Therefore, the Technical Review Committee recommends approval with conditions of the submitted Master Plan Land Development. The condition is that the development successfully addresses the conditions set out in the letter of approval for the Town of Smithfield for public water. The conditions are that the applicant perform a hydraulic modeling by the Town's consultant and that pending the results of the modeling, any required systemic improvements shall be made part of the final approval at the applicant's expense.

**b. Lincoln Point AP 31 Lots 38 and 40 Master Plan Discussion /  
- Lincoln Point LLC George Washington Hwy Approval**

On February 14, 2006, the Master Land Development Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master land development plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Land Development Plan review must be made by June 14, 2006 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division

reviewed the above proposed land development project according to the 2005 Land Development and Subdivision Regulations master land development plan submission standards and requirements and standard engineering practices. The submission includes a plan set entitled "Lincoln Point Senior Residential Community" Master Plan Submission, AP 31 Lots 38 & 40, George Washington Highway, Lincoln, Rhode Island, prepared for Lincoln Point, LLC by Fuss & O'Neill Inc., dated January 2006. Also submitted was a document entitled "Master Plan Submission" dated January 2006 for the above project. The Technical Review Committee noted the following concerns.

#### **Drainage/ environmental**

The development has identified wetlands on and adjacent to the property. The delineation shown was approved by RIDEM under a separate approval several years ago. The project will require approval from the RIDEM Wetlands program for preliminary land development plan approval. Any change to the drainage discharging to George Washington Highway must be approved by RIDOT. The drainage is proposed to be mitigated using existing detention basins. It is recommended that the grades and configuration of the basins be checked for conformance with the original plans approved by RIDEM. The drainage is the headwaters of the Mosshasuck River and contributes to the Manton Pond, a Town owned resource. Water quality mitigation must be carefully designed as a part of this project.

## **Traffic**

**The project proposes to use an existing access from George Washington Highway as well as a new access onto Old Louisquisset Pike. According to the Zoning Board approval, the access from George Washington Highway must be an entrance only, except for emergency vehicles. All other vehicles will have to exit via Old Louisquisset Pike. There is a proposed, potential future access into the Lincoln Mall. The applicant is encouraged to pursue this access, rather than depend only on using Old Louisquisset Pike and Albion Road which are old, narrow and winding. Approval of the Preliminary Land Development Plan will be contingent on receiving a physical alteration permit from the RIDOT for the access to Old Louisquisset Pike and the George Washington Highway.**

## **Utilities**

**The project must obtain approval from the Narragansett Bay Commission for sanitary sewer discharge. The developer is responsible for any modifications to the private pump station. Under General Notes, note 5A on sheet C4.01 needs to be corrected: all coordination with the sewers should be with the Narragansett Bay Commission and the owner of the private pump station, not the Town of Lincoln. Note 5C regarding the gas line should reference New England Gas, not Narragansett Bay Commission. The Lincoln Water Commission (LWC) must approve the water service. Preliminary Plan approval is contingent on receipt of a letter from the LWC stating that there is sufficient public water for the project and that the plans are**

**acceptable. The Albion Fire Department must approve the development's water supply service for fire suppression.**

### **Easements**

**This land development requires a number of easements. The following easements will be needed from and across Lots 207 and/ or 208:**

- Drainage**
- Sewer**
- Vehicular access**
- Temporary easement for construction**

**Based on the nature of the above noted concerns, the TRC feels that the application successfully addresses the requirements of Master Plan and that the above noted concerns will be addressed during the preliminary plan review stage. Therefore, the TRC recommends Master Plan approval for this application.**

**c. Lincoln Park AP42 Lot 24 Public Hearing – 7:15 PM**

**- UTGR Louisquisset Pike Preliminary Plan Discussion / Approval**

**On February 14, 2006, the Master Land Development Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of**

**completeness, or within such further time as may be consented to by the applicant, approve the master land development plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Land Development Plan review must be made by June 14, 2006 or within such further time as may be consented to by the applicant.**

**The Technical Review Committee and the Engineering Division reviewed the above proposed land development project according to the 2005 Land Development and Subdivision Regulations master land development plan submission standards and requirements and standard engineering practices. The submission includes a plan set entitled “Lincoln Park, Racetrack Renovations, Site Construction Plans”, 1600 Louisquisset Pike, Lincoln, Rhode Island, prepared for Jeter, Cook & Jepson Architects, Inc. by Fuss & O’Neill Inc., dated January 4, 2006. Also submitted was a document entitled “Drainage Analysis, Lincoln Park Racetrack Renovations” revision date January 12, 2006. An additional document, “Supplemental Information for Flood Plain Analysis” Lincoln Park Racetrack Renovations dated February 22, 2006 prepared by Fuss & O’Neill Inc. was also received. Also submitted was a plan set entitled, “Lincoln Park Expansion Off Site Improvements” – 90% submission plan set. The Technical Review Committee noted the following concerns.**

#### **Environmental/ Drainage**

**The proposed expansion has received a permit from the RIDEM**

**Wetlands Program. The reconstruction will include water quality mitigation which the site currently lacks. According to the above Drainage Analysis, the expansion of the Lincoln Park includes proposed storm water management, both water quality impact mitigation and control of the rate of flow to zero or less net increase from pre-development to post-development. Additional analysis by the engineer determined that the 100-year frequency flood elevation associated with the unnamed stream will not increase the impact at the Paul Street bridge.**

### **Sanitary sewers**

**The facility is currently serviced by the Narragansett Bay Commission (NBC) sewers. Any expansion or change to the wastewater flow is required to be permitted and approved by NBC. During the last week of March, the application informed the Town that they have received a Narragansett Bay Commission permit for their proposed redevelopment.**

### **Water service**

**The expansion of the facility is proposed to be serviced by public water. The proposed expansion of this property involves the relocation of several domestic and fire services, relocation of hydrants, and installation of several new water services and mains. Any expansion or change to the wastewater flow is required to be certified by the Lincoln Water Commission (LWC) that a) the proposed water system is acceptable and b) water can be provided to**

**the proposed project as approved. Approval of the preliminary plans is contingent on this certification. According to John Faile, LWC superintendent, water can be provided to the project, and the proposed water system is acceptable, with the condition that the master meter and backflow assembly be installed as shown on drawing C12.09, within six (6) months of the date of Preliminary Plan approval.**

### **Traffic**

**There will continue to be existing means of egress to Old Louisquisset Pike. The Twin River Road entrance will be relocated and reconstructed as a roundabout. The reconstruction and relocation, as well as the impact from the expansion, must be approved by RIDOT. The applicant has been working diligently with RIDOT and has recently submitted 90% design submission plan set. Approval of the preliminary plans is contingent on this permit.**

### **Consistency with the Comprehensive Plan**

**The Technical Review Committee reviewed all of the submitted documents and plans and concluded that the applicant has designed and developed a land development project that is consistent with the overall goals and objectives of the Town's recently updated Comprehensive Plan and the Subdivision and Land Development Regulations. The TRC feels that the applicant has recognized anticipated conflicts between the elements of the Comprehensive Plan and has successfully addressed these concerns. The TRC feels**

**that the applicant has proposed a redeveloped project that reflects the current use and intensity of the immediate area and successfully developed an off-site mitigation plan for the surrounding areas. The TRC also feels that the proposed redevelopment successfully incorporates the standards and provisions of the Subdivision and Land Development Regulations with a well engineered and designed site plan. The applicant has successfully addressed all of the concerns that the TRC had regarding the redevelopment of the Lincoln Park. The applicant has been working diligently with all local and State agencies to successfully address any and all concerns regarding this project. The applicant has attended numerous public meetings to describe and explain this project. All public input have been successfully addressed.**

**Therefore, the Technical Review Committee supports combining the Master Plan review stage and the Preliminary Plan review stage. If the Planning Board agrees and the public hearing goes well, the TRC recommends that the project receives Approval with Conditions of the Preliminary Plan Land Development project. The following items are the recommended conditions;**

- 1. Lincoln Water Commission - the master meter and backflow assembly be installed as shown on drawing C12.09, within six (6) months of the date of Preliminary Plan approval.**
- 2. Rhode Island Department of Transportation – Physical Alteration Permit (PAP)**