

LINCOLN PLANNING BOARD

MARCH 28, 2007

MINUTES

A meeting of the Planning Board was held on Wednesday, March 28, 2007, at the Town Hall, 100 Old River Road, Lincoln RI.

Chairman Mancini called the meeting to order at 7:05 p.m. The following members were present: Michael Reilly, Gerald Olean, John Mancini, Kenneth Bostic, John Hunt, and Gregory Mercurio. Absent was Wilfred Ordonez. Also present were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand, and Town Solicitor Anthony DeSisto. Candice Larson kept the minutes.

Chairman John Mancini advised that there were six members present, and that the Planning Board did have a quorum to continue the meeting.

SECRETARY'S REPORT

There was not a Secretary's Report available for approval.

PLANNING BOARD ELECTIONS

Mr. Olean nominated John Mancini as Chair for the Planning Board.

Mike Reilly seconded the nomination. The nomination passed with one vote from the Secretary.

Mr. Reilly nominated Mr. Olean as Vice Chair for the Planning Board. Mr. Bostic seconded the nomination. The nomination passed with one vote from the Secretary.

Mr. Mercurio nominated Mr. Reilly as Secretary for the Planning Board. Mr. Hunt seconded the nomination. The nomination passed with one vote from the Secretary.

CONSENT AGENDA

Mr. Olean made a motion to remove item #10 - Staff Reports, from the consent agenda. The motion was seconded by Mr. Hunt and passed by unanimous vote.

Mr. Olean made a motion to accept the consent agenda, seconded by Mr. Mercurio. The motion passed by unanimous vote.

COMPREHENSIVE PERMIT

**a. Chamberland Subdivision AP 37 Lot 170 Comprehensive
Permit Review**

Ruth M. Chamberland

Sayles Hill Rd.

Discussion/Approval

Mr. Ranaldi stated that there are 2 units on one lot with a total of 5

dwelling units. The owner is requesting a subdivision so that the additional lot can be sold. The applicant is proposing to subdivide this parcel via a comprehensive permit process. A zoning advisory recommendation will be needed. The property does not meet existing off street parking requirements. The property would have to establish separate utility connections. If the applicant agrees to these recommendations they should then go before the Zoning Board then reappear before the Planning Board.

Attorney John Shekarchi, representing the applicant, stated that they have read the conditions of the TRC and that the subdivision is because it is difficult to sell a property and secure financing for a property with 5 units. The only change is an imaginary boundary line that will separate the two lots, and one unit in each building will be deeded as an affordable unit for 30 years.

Mr. Mercurio made a motion to advance the Chamberland Subdivision to a public hearing. Motion seconded by Mr. Reilly. The motion passed by unanimous vote.

Mr. Olean made a motion to move item "8a" on the agenda to be the next point discussed. The motion was seconded by Mr. Mercurio. The motion passed unanimously.

MAJOR SUBDIVISION REVIEW

a. Hien Subdivision AP 8 Lot 23 Preliminary Plan

Patti Hien Grandview Ave. Discussion/Approval

Mr. Ranaldi stated that this is a subdivision of one lot into 2 residential lots. A zoning variance for dimensional lot width relief of 3 feet was granted on February 6, 2007 by the Zoning Board. The variances needed have to do with the lot that the house is on, and have been registered by the land surveyor. The public utilities exist in the roadway.

Paul Rampone, Engineer and representative for the applicant, was present.

Mr. Olean made a motion to accept the TRC recommendation of approval with conditions and give final approval to the administrative officer. The motion was seconded by Mr. Bostic. The motion passed unanimously.

MAJOR LAND DEVELOPMENT REVIEW

a. 90 Industrial Circle	AP 2 Lot 82	Public Informational
Meeting – 7:30 pm		
A.F. Homes	Walker St & Industrial Circle Master Plan	
Land Development		
Discussion/Approval		

The list of abutters was read for the public information meeting. James Birchall of 1177 Smithfield Ave. was present.

Mr. Ranaldi noted that the application received a special use variance for 48 units, 10% of which will be deed restricted as affordable. The site is an existing mill building. The site plan shows one entrance further from the intersection and curbing in the middle of the roadway. A traffic syntax study found that based upon a new traffic light at Smithfield and Walker Ave., it would be sufficient. Sewer and water are available and there is a use restriction on the property due to environmental concerns.

Attorney John Mancini for the applicant was present. There are 40 residential dwellings proposed and zoning and access requirements will be met. There is an environmental land use restriction, but whether or not it would be applicable to the entire project would come from DEM. Correspondence to RIDEM dated 3/21/07 and 3/27/07 was presented. A legal determination regarding the restriction should be able to be reached within 30-45 days.

Attorney John Mancini noted that all of the Planning Board's concerns have been reviewed by the applicant, and the only issue that still needs to be resolved is the environmental issue.

Mr. Reilly noted that there was a retaining wall to be constructed in the area in question. Attorney John Mancini noted that although there will be a miniscule obstruction and disturbance, it is the best place for the retaining wall. Attorney John Mancini noted that

although there is not yet any correspondence from DEM to the applicant regarding the environmental concerns, they have been meeting with them and anticipate having correspondence for the next Planning Board Meeting.

Ms. Wiegand noted that there were environmental issues, but that it would be a good use of the land if the applicant first clears it with DEM.

Mr. Mancini noted that the Planning Board could approve, but based on the fact that a decision is not yet required, he suggested waiting for the correspondence from DEM regarding the environmental issues.

Chairman Mancini opened the public hearing portion of the application.

Mr. Birchall of 1177 Smithfield Ave. was present. Mr. Birchall noted that the sewer pipes are clay pipes and that 40 additional houses would greatly affect the pipe system. Ms. Wiegand replied that there was a concern and the Sewer Department noted that the 24" fragile pipe was replaced 8-10 years ago and the new sewer piping would be connected to the new development.

Mr. Olean made a motion to close the public hearing portion of the meeting. Mr. Reilly seconded the motion. The motion passed unanimously.

Mr. Olean made a motion to schedule the application for the April Planning Board meeting when more information from the DEM is available and the zoning is rectified. Mr. Bostic seconded the motion. The motion passed by a vote of 5-1 with Mr. Mercurio opposed.

b. Albion Crossing Office Park AP 28 Lot 41 Master Plan Land Development

Albion Crossing LLC Albion Rd. Discussion/Approval

Mr. Ranaldi stated that this development was previously known solely as the AT Cross building. The applicant is proposing to redevelop the front office space into new commercial office space. The applicant received a Certificate of Completeness on August 12. There would be additional parking needed, which the applicant is putting under electrical wires and working with National Grid on. Additional drainage would also be needed. The applicant is comfortable with addressing this requirement. Also, because the property is located on a state highway, the applicant will have to work with the DOT to approve any changes, including closing off the one main entrance closest to the highway. Because the traffic and site concerns are minor, the TRC recommends elevation this application to preliminary plan stage.

Mr. Ranaldi noted that vegetation would be supplemented, and that a single plan could be submitted to the Town Planner for the vegetation.

Robert Manning, purchaser of the property, was present. The applicant is developing the Washington Highway side of the property which will draw 400-500 white collar workers with very little change to parking or truck traffic. The intention is that the building will become a call center, a general office, etc. According to Manning, 56% of the building, or 156,000 square feet, will be retained by AT Cross. The remaining 134,000 square feet will be Albion Crossing, with a maximum of 6 tenants.

Mr. Olean made a motion to accept the TRC recommendation. Mr. Bostic seconded the motion. The motion passed unanimously and the application will go to public hearing at the next Planning Board meeting.

MAJOR SUBDIVISION REVIEW

b. The Hills of Monticello Subdivision AP 40 Lots 30 and 31 Pre-Application Discussion

R.H. Jergensen Construction Co. Albion Rd.

The pre-application proposes 2 lots to be divided into 14 residential lots in a RA-40 area. There were concerns with the ledge which caused a revision to a single cul-de-sac of 1400 feet which is over the regulation. The decision to go with a cul-de-sac and not a loop road system was mainly because of concerns with water looping.

Mr. Ranaldi noted that although the cul-de-sac regulation has a limit of 900 feet, a loop road would only service 2 houses. Lincoln Water Commission has given options for service of a large cul-de-sac. Also, with 1900 feet of unused roadway, from a town maintenance standpoint and water runoff standpoint, the loop road was not the best solution. There will be a Homeowners Association to maintain the common areas and there will be an island in the middle of the cul-de-sac. At the end of the proposed roadway is 5+ acres which abuts town property. No right of way is needed. There are 3 subdivision waivers needed in the pre-application proposal.

Ms. Wiegand noted that the Engineering Department is not comfortable with a long cul-de-sac. Mr. Reilly noted that with the ledge issues, the Planning Board should take house density into consideration, and that having a looped road would cause a problem. The applicant met with the water and fire departments, and the Fire Chief did seem favorable to the long cul-de-sac.

The detention ponds would go to the rear of the cul-de-sac and next to the wetlands at the rear of the lot. The current drainage is to cut water runoff and move it downstream.

c. Great Rd. Estates (a.k.a. Meadow View) AP 29 Lot 3 Preliminary Plan

Meridian Real Estate Services, Inc. Great Rd. Discussion/Approval

Mr. Ranaldi stated that this is the subdivision of 1 lot into 14 conventional lots. There are 14 acres that are zoned RS-20. The

applicant received a Certificate of Completeness on March 12, 2007 and the Planning Board has until July 10, 2007 to make a decision. There will be 2 cul-de-sacs with a 50 foot right of way, which is a conservation easement. The applicant has received a permit from DEM for insignificant alteration to wetlands. The proposed utility design is acceptable. The drainage is sufficient and a traffic study was done, so the next step would be a public hearing for the application.

Ms. Wiegand recommended that the Planning Board visit the site. Mr. Mancini noted that there would be a walk-through set up for 5:30 pm on May 9th before the monthly Planning Board meeting.

Mr. Olean made a motion to move the application to public hearing on May 9th. The motion was seconded by Mr. Mercurio. The motion passed unanimously.

There being no further business to discuss, on a motion made by Mr. Olean and seconded by Mr. Mercurio, it was unanimously voted to adjourn the meeting. The meeting adjourned at 9:23 p.m.

Respectfully Submitted,

Candice Larson

Attached March TRC Report:

On March 12, 2007, at 2:30 pm, the Technical Review Committee met to review the agenda items for the March 28, 2007, meeting of the Planning Board. In attendance were Al Ranaldi, Kim Wiegand, Michael Reilly, Russ Hervieux, John Faile, and Peggy Weigner. Below are the Committee's recommendations:

Comprehensive Permit

a. Chamberland Subdivision AP 37 Lot 170 Comprehensive Permit Review,

- Ruth M. Chamberland Central & Division Sts. Discussion / Approval

This application is to be reviewed under RIGL 45-53 as amended, the Lincoln Comprehensive Plan, Lincoln Affordable Housing Production Plan and the recently amended Town ordinance entitled "An Ordinance Establishing an Application and Administrative Procedures for Filing a Comprehensive Permit in Accordance with the State of Rhode Island Low and Moderate Income Housing Act – RI General Law 45-53". The Lincoln Town Council has passed an ordinance specifying procedures for applying for a comprehensive permit. This ordinance establishes a Certificate of Completeness process, which lists the items to be included in a comprehensive permit application. RI General Law does not specify a timeframe for

review and approval of Comprehensive Permits. The TRC recommends that this and future Comprehensive Permits follow the review process for Preliminary Plan stage subdivisions and also be presented to the Zoning Board for an advisory opinion.

On March 12, 2007, the 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 Preliminary Plan review must be made by July 10, 2007, or within such further time as may be consented to by the applicant.

This application represents the subdivision of one lot into two lots. The current parcel contains two buildings and associated parking. One building contains two dwelling units while the other building contains three dwelling units. There are a total of five dwelling units on the subject lot. The buildings, parking and public infrastructure are all existing improvements. This proposal entails subdividing the property into two lots thereby permitting greater latitude in the marketability of the separate properties. The present configuration renders homeownership difficult considering financial institutions treat properties such as this one as commercial apartment complexes unlike duplexes and triplexes that are defined as residential dwelling units.

In order to accomplish the above subdivision, numerous subdivision

waivers and zoning relief would be required. Therefore, the property owner is proposing a Comprehensive Permit with the establishment of two affordable housing units – one unit per building. While Comprehensive Permits have been controversial in the past, this unique proposal represents the conversion of already existing buildings and infrastructure. No new construction is proposed.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to RIGL 45-53 as amended, the Lincoln Comprehensive Plan, Lincoln Affordable Housing Production Plan and the recently amended Town ordinance entitled “An Ordinance Establishing an Application and Administrative Procedures for Filing a Comprehensive Permit in Accordance with the State of Rhode Island Low and Moderate Income Housing Act – RI General Law 45-53”, the 2005 Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled “Plan of Land for Ruth Chamberland”, AP 37 Lot 170, Central and Division Streets in Lincoln, Rhode Island, prepared by Marsh Surveying Inc., dated November 13, 2006. The following concerns were noted by the Technical Review Committee for the proposed development.

Site plan

There are two existing houses on the corner of Central and Division Streets. Six parking spaces are proposed. In order to accommodate the additional on-site parking, one existing driveway is proposed to

be enlarged on Division Street. Another driveway is proposed on Central Avenue. This will result in additional stormwater drainage. The driveway must be constructed to direct runoff away from the abutting garage and into a new dry well in the area between the houses. An excavation permit is required to be obtained to cut and remove existing curbing and replace it with granite curb returns. This work must be performed before final approval is given.

Utilities

The lot has connections to public water and sewer. It is unclear where the sewer connections are located. It may go through the house at # 115-117 Central Street to #58 Division Street. For separate lots the sewer connections must be separated for each of the lots for health and safety reasons. The new lot must obtain its own sewer connections or if joined outside the houses, an easement, as a condition of the final approval. According to the superintendent of the Lincoln Water Commission, the houses on the existing lot are serviced by public water. Both services inside the buildings must be upgraded to include a backflow preventor and a pressure reducing valve. The service at #115-117 Central Street must also replace the meter (which is provided free). Owners should contact the Water Commission for details.

Zoning Board Review

The TRC recommends that this Comprehensive Permit be presented by the applicant to the Zoning Board for an advisory opinion.

Based on the above comments, the TRC recommends that the applicant address the above-noted concerns and that the applicant presents the Comprehensive Permit at a public hearing in April during the Planning Board's regularly scheduled monthly meeting.

Major Land Development Review

a. 90 Industrial Circle AP 2 Lot 82 Public Informational Meeting – 7:30 PM

- A. F. Homes Walker St & Industrial Circle Master Plan Land Development

Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the residential development of a single lot containing approximately 1.9045 acres. The property is located in a MG-0.5 (Manufacturing General) zoning district and received a use variance for 48 residential condominium units with 10% designated as affordable. This project is in front of the Planning Board for a Master Plan Land Development Review – Public Informational Meeting. On January 16, 2007, the 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 15, 2007, or within such further time as may be consented to by the applicant. No new information has been presented since the last meeting. Therefore, the follow review is a copy of the review submitted last month.

The Technical Review Committee and the Engineering Division has reviewed the above-proposed development according to the Land Development and Subdivision Regulations standards and requirements and standard engineering. The most recent submission includes a set of plans entitled "Master/Preliminary Plan Submission" for AP 2 Lot 82, Walker Street and Industrial Circle, Lincoln, Rhode Island, prepared for the applicant A.F. Homes by Cataldo Associates Inc., dated February 13, 2007. Also included was a report "Soil Erosion & Sediment Control and Stormwater Management Report" prepared by the above consulting engineer for the above developer. A "Traffic Impact Study for the Proposed Condominium Development" prepared by the above consultants for applicant, dated June 16, 2006, was previously reviewed. The following are concerns were noted by the Technical Review Committee for the proposed development.

Site Plan

The site plan shows onsite parking and access to Industrial Circle. In order to provide egress, the developer proposes to eliminate a narrow traffic island opposite the access way. The developer also proposes to stripe and mark the stop bar on Industrial Circle. It is recommended that the other narrow traffic island be removed as well

and the area repaved before re-striping.

Utilities

The applicant has contacted the Lincoln Water Commission (LWC) regarding public water for the development. The Lincoln Water Commission (LWC) must approve the water service. Preliminary Plan approval will be 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 Saylesville Fire Department must approve the development's water supply service and access for fire suppression as well as the location of any fire hydrants.

The existing location and discharge points for the building's sanitary sewerage may not be properly connected to the sewers, according to current standards and regulations. However, the development proposes to connect with a new lateral to the existing sewer in Industrial Circle, ensuring that new flows will be properly treated. The plans note that existing sewer connections will be capped. The project will also be required to obtain approval from the Narragansett Bay Commission for the sanitary sewer discharge. It is recommended that the structure labeled cesspool on the south side of the building be removed and/or filled and closed.

The property has several utilities on and across it, including but not limited to water, sewers and drains. These utilities are subject to easements in the Land Evidence Records. It is advised that the developer work with the Town and the LWC (and others, as necessary) to clarify the location, current use, ownership and

responsibility for the utilities in the easements. The developer has also been advised that there are old, (greater 100 years) vitrified clay sewers in and cross the area that are to be avoided, as they are fragile and likely to break/fracture easily.

Drainage

The site drains generally east towards Industrial Circle. It is proposed to direct runoff from the parking area into an onsite infiltration system with overflow to the existing storm drainage system which discharges dually to Saylesville Bleachery Pond and the Moshassuck River. The developer will be responsible for the operation and maintenance of the storm drainage system which includes the onsite catch basins and the infiltration system. The development will require an Underground Injection Control permit from RIDEM. The UIC system and catch basins will improve the current water quality of the storm water runoff as well as mitigate any future impacts from the development. The outlet from the onsite storm water system is proposed to connect to drainage in Industrial Circle. It is recommended therefore, that the curb inlet and drainage manhole on the eastern side of Industrial Circle which appears to drain into the pond, be rehabilitated with a grated inlet and deep sump catch basin.

Environmental

The site was a former industrial building. There is an area designated as an Environmental Land Use Restriction (ELUR) on the property

due to a previous finding of contamination from the past industrial use. This area is shown on the plans. The property was given a “variance” for continued industrial use. The restriction recorded in the Land Use Evidence Record states that “No residential use of the contaminated site shall be permitted.” The site will need to be in conformance with the RIDEM’s Direct Exposure Criteria for residential use. An environmental site investigation would determine what, if any, other restrictions or remediation are required. Before preliminary approval can be granted, the Planning Board needs confirmation as to how the property will be brought up to residential standards.

Traffic

The Traffic Impact Study findings indicated that the project will not significantly impact the safety or levels of service on the roadways. The study analyzed the existing and future development conditions at several intersections. An important element of this analysis is the RIDOT’s proposed Smithfield Avenue improvements which are scheduled to begin construction in March 2007. The improvements include a traffic signal at the intersection of Walker Street, Woodland Avenue and Smithfield Avenue. The analysis states that there is adequate sight distance at the location of the proposed entrance to the site, as well as at the intersection of Industrial Circle and Walker Street.

Zoning

While the project received a use variance for the proposed residential development, the applicant did not request or receive any variances for the existing building. It has been the policy of the Town that when any existing properties come before the Town for a new proposed use or addition, that the applicant correct all existing zoning issues. Usually, this administrative action is combined when the applicant is being reviewed for any new zoning relief. This has not happened for this project. Therefore, the TRC recommends that while the applicant is working through the Planning Board process, that they address the existing zoning issues.

Based on the above noted concerns, the TRC recommends that the applicant address the above-noted concerns and any concerns presented during the public informational meeting and return to the Planning Board for further review in April. More specifically, the TRC is looking for a resolution to the environmental concerns stated above.

b. Albion Crossing Office Park AP28 Lot 41 Master Plan Land Development

- Albion Crossing LLC Albion Road Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the commercial redevelopment of a single lot containing approximately 25 acres. The property is located in a ML-0.5 (Manufacturing Limited) zoning district. This project is in front of the Planning Board for a Master Plan Land Development Review. On

March 12, 2007, the 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 July 10, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above-proposed development according to the Land Development and Subdivision Regulations standards and requirements and standard engineering practices. The submission includes a set of Existing Conditions Plans entitled “Albion Crossing”, AP 28 Lots 14, 41, 42 and 106, George Washington Highway, Lincoln, Rhode Island, prepared for the applicant, Gray’s Point Investment , by Crossman Engineering Co., dated February 2007. A set of Site Plans, Utility Plans and a sheet of Notes and Details, “Albion Crossing”, AP 28 Lots 14, 41, 42 and 106, George Washington Highway, Lincoln, Rhode Island, dated March 3, 2007, were prepared by RGB for the above applicant. Included as well in the submission is a Drainage Report prepared by RGB for the applicant, dated March 2007. Below are the Technical Review Committee’s comments.

Site Plan

This is an existing facility with frontage and access on two State roads. The development plan includes additional parking, signage, landscaping and drainage systems. The plans represent the addition of 177 parking spaces located to the west of the building and the creation of a dedicated entrance to the property from George Washington Highway. This dedicated entrance is accomplished by eliminating one of the two existing driveways. The plans also show an additional parking area and associated drainage in the southwestern portion of the site. This construction is not included in the drainage report and, according to the engineer it is not a part of the RIDEM wetlands submission. Therefore, it is not considered in this approval process by the Town. The site plan also shows additional parking for 166 vehicles on lot 106 which is owned by the applicant and is located across Albion Road. This parking area was used by the existing facility during times of significant work load. In recent years, the usage of this lot was greatly reduced. The applicant proposes to re-establish this parking area. The existing crosswalk will be re-striped. Based on the submitted site plan, it appears that the proposed layout will satisfactorily service the new proposed office space while preserving the existing office usage located to the rear of the property.

Utilities

The existing site is currently supplied by public water. The applicant has contacted the Lincoln Water Commission (LWC) regarding service to the facility and the water service is consistent with their

standards and regulations (per conversation with John Faile, March 8, 2007). The Limerock Fire Department must approve the renovations for compliance with fire suppression requirements. The existing building is currently connected to public sewers. The plans show existing connections to the public sewers, the Narragansett Bay Commission (NBC) interceptor in George Washington Highway. The Town is not aware of any problems with the current availability. The applicant must confirm availability of public sewers from the NBC. The applicant is required to apply to NBC for approval of any additional sanitary sewer discharges.

Drainage

The existing site has two storm water discharge outlets to the RI Department of Transportation (DOT) drainage system and two piped outfalls to the wetlands/stream system to the west. It is proposed to mitigate peak runoff from the new parking areas using onsite underground detention structures. Discharges and new connections to the State system must be approved by RIDOT. The discharges to the wetlands must be approved by RIDEM. The drainage report shows mitigation up to the 100 year frequency storm for the proposed conditions. At this point in time, the details of the detention structures are not shown on the plans due to a recent concern by RIDEM regarding a formerly approved technology for water quality mitigation. This was discussed by RGB, the project's engineers with the Town Engineer. The drainage report was reviewed with the understanding that the engineers could affect water quality with a

redesign of the underground system to achieve the same mitigation. The property owners will be responsible for the operation and maintenance of the storm drainage system on the site.

Traffic

The RIDOT must approve any changes to the traffic from properties as well as changes to the access to state roads. It is proposed to close one access onto George Washington Highway. The RIDOT would review sight distance, peak intersection traffic impact and road safety. If there is to be a change in traffic volume or peak flow, this would need to be approved by RIDOT as part of a Physical Alteration Permit (PAP). The applicant has stated that there is no proposed major change regarding the traffic from this facility (conversation with Town Engineer January 2007). As mentioned above, RIDOT would also need to approve new connections and/or flows to the State drainage system through a PAP.

Based on the recent submission, the Technical Review Committee feels that the concerns noted above are minor in nature. The TRC recommends that this application be elevated to the preliminary plan stage and be scheduled for a public hearing in April.

Major Subdivision Review

- a. Hien Subdivision AP 8 Lot 23 Preliminary Plan Discussion /
- Patti Hien Grandview Avenue Approval

This application is under the 2005 Subdivision Regulations and

represents the subdivision of one residential lot into two single-family residential lots. All lots are accessed from existing roadways. The subject lot is located in zoning district RS-12 (12,000 square feet – Residential Single Family). This application is classified as a Major Subdivision due to its need for a dimensional variance for lot width of the proposed lot. On January 16, 2007, the 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. At the January 24, 2007, Planning Board meeting, this application was elevated up to the Preliminary Plan stage. Therefore, a decision on the Preliminary Plan review must be made by May 15, 2007, or within such further time as may be consented to by the applicant. On February 6, 2007, the Zoning Board granted dimensional relief for the lot width of the proposed lot. The application was in front of the Planning Board for a Public Hearing during the February meeting. The Technical Review Committee and the Engineering Division has reviewed the above-proposed development according to the Land Development and Subdivision Regulations standards and requirements and standard engineering. The plan reviewed was entitled “Major Subdivision” 65 Grandview Ave. Major Subdivision, Lincoln, RI, AP 8 Lot 23, Lakeview and Grandview Avenues, prepared for Patti A. Hien by Paul S. Rampone, P.E. dated December 20, 2006.

Other documents submitted as listed in a letter dated December 20, 2006, from Mr. Rampone to the Town Planner. Below are the TRC recommendations for this project.

Site Plan

The site plan shows two frontage lots from one. The information presented on the site plan indicates that there is adequate buildable area for each lot. A final plan must be prepared by a registered land surveyor. The current plan is based on an existing survey plan stamped by a registered engineer; and, therefore, the dimensions appear to be accurately depicted. The plan notes that there does not appear to be any wetlands on or adjacent to the site. The developer must submit a sedimentation and erosion control plan to Engineering for approval at the time a building permit is requested for the new lot if the zoning relief is granted.

Utilities

A plan shows that the applicant proposes public water and sewers connections via existing lines in Lakeview Avenue. The Lincoln Water Commission (LWC) has stated in writing that water service is available. The LWC's approval must be a condition of any approval for subdivision. The sewer supervisor has given notice that public sanitary sewers are available to the project. There is an existing sewer service stub to the property where it fronts on Lakeview Avenue. The developer must obtain approval for the Narragansett Bay Commission for the additional indirect discharge.

Drainage

The proposed lots drain to the road. The drainage system on Lakeview Avenue is minimal. In order to prevent any adverse impact, a condition of approval should also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation. This condition must be met at the time that the building permit is to be obtained.

The TRC recommends that the applicant be Approved with Conditions. Below are the following conditions.

- 1. The final record plan must be stamped by a registered land surveyor.**
- 2. A sedimentation and erosion control plan must be submitted for review and approval at the time a building permit is issued for each additional house.**
- 3. The final plan can be recorded only after the twenty day zoning appeals period has ran out.**
- 4. The developer must submit a sedimentation and erosion control plan to Engineering for approval at the time a building permit is requested for the new lot.**
- 5. The developer must obtain approval for the Narragansett Bay Commission for the additional indirect discharge for the new lot.**
- 6. Final Water Plan approval must be granted from the Lincoln Water Commission for the new lot.**
- 7. A note must be added to the final recorded plans stating that no finished floors or basements shall be constructed at or below the**

seasonal high groundwater elevation for the new lot.

8. A note must be added to the final recorded plans stating that the zoning setbacks shown on the recorded plans are for reference only.

Actual setbacks to be determined at the time of construction/development of the land.

9. A note must be added to the final recorded plans stating that the proposed new house must have dry wells installed to capture the roof runoff.

10. Granite bounds must be installed and shown on the final recorded plans marking the location of all new property corners of the new lot.

b. The Hills of Monticello Subdivision AP 40 Lots 30 and 31 Pre-Application Discussion

- R.H. Jergensen Construction Co. Albion Road

This application is under the 2005 Subdivision Regulations and represents the subdivision of two residential lots into fourteen single-family residential lots. All lots are accessed from a proposed roadway ending in a cul de sac. Another cul de sac is located off of the proposed main roadway. The subject project is located in zoning district RA-40 (40,000 square feet – Residential Single Family). The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations pre-application plan submission standards and requirements and standard engineering practices. This project is in front of the Planning Board for a

pre-application discussion. The submission includes a plan entitled “The Hills of Monticello, Albion Road”, AP 40, Lots 30 & 31, in Lincoln, Rhode Island, prepared for R.H. Jergensen Construction Co. by Pare Engineering Corp. dated October 2006. Below are the TRC recommendations for this project.

Site Plan

The existing site has many challenges to development. The TRC would like to see an existing constraints map that displays existing wetlands and buffer areas, steep slopes, easements, etc... It is a policy of the Public Works Department that all drainage facilities outside of the public right-of-way must be shown within easements on individually owned lots. All detention basins must be privately owned and accessible from a public right-of-way. It is not clear whether retention or detention basins are proposed. The proposed main roadway measures approximately 1400 feet long. This is 500 feet over the existing road standard. The proposed roadway would require a Planning Board waiver. This should be discussed. Proposed lot #8 and newly reconfigured lot #30 appear to be over the Town’s Subdivision standard of 2 ½ to 1 lot to width ratio.

Traffic

Albion Road is a State road. The access to the subdivision will require a Physical Alteration Permit from RIDOT.

Wetlands/Groundwater

There are numerous wetlands within this proposal. The proposed subdivision must obtain a RIDEM Wetlands permit for all proposed alterations to the wetlands. A certified soil evaluator must determine the seasonal high ground water elevations at the locations associated with proposed detention basins and other critical areas on the property. The Town Engineer must witness the excavation of test pits. No detention basins are to be constructed into the elevation of the seasonal high ground water. The TRC has serious concerns regarding the extensive removal of earth and blasting of ledge in order to install the proposed roadway. The impact to the groundwater hydrology is likely to be critically impacted. The TRC would like to see how this is going to be mitigated.

Utilities

The plan shows public water and sewer connections to the proposed lots. Sewer availability must be sought from the Lincoln sewer supervisor. Gravity sewers are proposed. The superintendent of the Lincoln Water Commission (LWC) has communicated to the Town Engineer that public water service is available to this project. However, the water line must be looped to meet the LWC requirements. No dead ended public water lines are allowed.

Drainage

The Public Works Department has observed severe existing drainage problems over the years in this area, particularly on Albion Road. Drainage design for the subdivision must include no increase of

storm water peak rate of flow or volume from the subdivision onto the properties on Albion Road or into the wetlands connected to the brook that flows under Albion Road so as not to exacerbate existing drainage problems in the Meadowbrook neighborhood. This section of Albion Road is an existing low spot in the roadway and experiences numerous flooding. The Town would also like to meet with the engineers to explore if off site improvements can be incorporated into the project to help resolve drainage problems along this section of the roadway.

c. Great Rd Estates (f.k.a. Meadow View) AP 29 Lot 3 Preliminary Plan Discussion /

- Meridian Real Estate Services, Inc. Great Road Approval

This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into fourteen conventional single-family lots. The subject lot contains approximately 13.0 acres of land and is located in zoning district RS-20 (20,000 square feet – Residential Single Family). The proposed homes are to be serviced by public water and gravity sewers. The proposed house lots are located along a main roadway ending in a cul de sac. A smaller cul de sac is located off of the main roadway. On March 12, 2007, the 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 Preliminary Plan review must be made by July 10, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above-proposed subdivision according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements as well as standard engineering practices. The recent submission includes a set of five sheets entitled “Preliminary Submission, Great Road Estate, (formerly Meadow View)”, located on Great Road, Lincoln, Rhode Island, AP 29 Lot 3, prepared for Meridian Real Estate Services, Inc., by DiPrete Engineering Associates, Inc., latest revision date 1/31/07. Also received was the “Stormwater Management Report & Soil Erosion and Sediment Control Plan” prepared for applicant above by DiPrete Engineering Associates, Inc. revision date February 2007. A letter dated September 8, 2006 from the RIDEM approving the plans as an Insignificant Alternation was received. The following items were previously received:

- “Traffic Impact Assessment” revised August 11, 2005, prepared by RAB Professional Engineers, Inc. for Meridian Real Estate Services, Inc. for the above project.**
- “Master Plan Narrative and Supporting Material”, prepared by the same engineers dated 2/14/05.**

The new submissions were reviewed and the following was noted.

Site design

The site plan shows 14 lots with two cul de sacs. In order to meet the requirements for frontage, each cul de sac is proposed with paved 50 foot radius and 60 foot radius right of way. These radii are greater than the required Town standard; however this allows the length of frontage to be met. The Technical Review Commission (TRC) approves of the greater ROW, but prefers the pavement to remain the standard 40 foot radius. The TRC recommends the greater ROW to be allowed to compensate for the site design which gives the town a conservation easement to keep and enhance the rural character along Great Road. The alternative would have cut frontage lots with driveways on Great Road.

Wetlands

The proposed development has received Preliminary Determination from the RIDEM Wetlands approving the plans as an insignificant alteration, Permit #06-0362.

Utilities

The subdivision is proposed to be connected to public sanitary sewers and water. The sanitary sewers system is proposed to be gravity. No new pumping station is proposed. The development would flow by gravity sewer in Great Road to the Great Road South pumping station. Capacity in this pumping station is adequate.

Approval is required for sewer service to the project from the Narragansett Bay Commission (NBC). A permit from NBC for the sewer connection must be a condition of approval. The Lincoln Water Commission has given preliminary approval to the design for looping the public water line in a letter dated February 15, 2007.

Drainage

Proposed drainage is shown on the plans with a proposed location for a detention basin. The basin is accessible to the road via a curb cut to facilitate maintenance. Soil evaluations performed in the vicinity of the detention basin indicate that the bottom elevation of the detention basin would be close to the seasonal high groundwater elevation. It is required that there is no seepage or groundwater flowing into the basin as a condition of the subdivision approval. The groundwater elevations across the site were determined by a certified soil evaluator; however, the Town Engineer did not witness the test holes performed for this evaluation. No test hole information is available for lots 11 and 12. A condition of the subdivision approval must be that any finished floor or basement be constructed above the seasonal high groundwater elevation. General note #6 on sheet 4 needs to be revised to reflect this condition for approval. However, it appears that the proposed houses and lots are set and graded above the seasonal high groundwater elevation. It is also recommended that the material and construction of the drainage pipes be such so as to prevent ground water inflow into them.

Some storm water runoff from Great Road discharges along the road onto the property and must be allowed to continue to flow. Storm

water flows overland from the site to a stream on the eastern side of the property and also to an isolated wetland in the southern most corner of the property. Increased flow through the wetlands could impact abutting property owners and drainage on Great Road. Design and construction of the detention basin is critical. Responsibility for keeping the detention basin clear of debris and mown must belong to the individual property owner on whose land the basin is located. The Town would be responsible for structural maintenance only. Notes on the plans should be revised to reflect this concern. The Town Engineer recommends that the Planning Board members walk the site to observe the existing drainage conditions.

Traffic

The Traffic Impact Assessment reviewed the traffic safety issues on Great Road and at the key intersections. According to the report, there is adequate sight distance at the proposed entrance to the project. The updated report assessed the conditions the intersection with Route 116 as well as Great Road. The report made specific recommendations to improve existing traffic safety on Great Road. The Engineering Office recommends that these be a condition of preliminary plan approval. These must be shown / located on the construction plans:

- Centerline striping along Wilbur Road.**
- Two signs: “Curve Warning” and “Intersection Ahead”.**
- Removal of a cedar near pole #153 on Great Road.**

- **Selective clearing and grading within the roadway right of way along the frontage of three proposed lots within the proposed scenic road conservation easement, specifically within 10 feet of the road right of way.**

Based on the recent submission, the Technical Review Committee feels that the concerns noted above are minor in nature. The TRC recommends that this application be scheduled for a public hearing in April.

Zoning Applications (*) – April Zoning Applications

Kenneth Demers, 135 Jenckes Hill Road, Lincoln, RI – Special Use Permit to convert building located at 10/15 Chapel Lane, Lincoln into six (6) apartments.

AP 3, Lot 89 Zoned: BL 05/RG 7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee could not make a recommendation due to the very limited information provided in the submission. Therefore, a proper evaluation could not be conducted.

Kenneth Demers, 135 Jenckes Hill Road, Lincoln, RI – Use Variance to convert building located at 10 Chapel Lane into four (4) two bedroom apartments.

AP 3, Lot 89 Zoned: BL 05/RG 7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee could not make a recommendation due to the very limited information provided in the submission. Therefore, a proper evaluation could not be conducted.

Kenneth Demers, 135 Jenckes Hill Road, Lincoln, RI – Dimensional Variance for front yard setback for property located at 10/15 Chapel Lane, Lincoln, RI.

AP 3, Lot 89 Zoned: BL 05/RG 7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee could not make a recommendation due to the very limited information provided in the submission. Therefore, a proper evaluation could not be conducted.

Kenneth Demers, 135 Jenckes Hill Road, Lincoln, RI – Application for Relief Under Mapped Street Ordinance for property located at 10/15 Chapel Lane, Lincoln, RI

AP 3, Lot 89 Zoned: BL 05/RG 7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review

Committee could not make a recommendation due to the very limited information provided in the submission. Therefore, a proper evaluation could not be conducted.

Kenneth Demers, 135 Jenckes Hill Road, Lincoln, RI – Use Variance to convert building located at 4 Chapel Lane into two (3) apartments.

AP 3, Lot 179 Zoned: BL 05/RG 7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee could not make a recommendation due to the very limited information provided in the submission. Therefore, a proper evaluation could not be conducted.

Rita M. Caraccia, 393 Great Road, Lincoln, RI – Use Variance for two additional apartments for a total of six units on property located at 1431 Smithfield Avenue, Lincoln, RI.

AP 9, Lot 130 Zoned: RL 9

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of this use variance. The TRC feels that the use variance for two additional apartments for a total of six units on property located at 1431 Smithfield Avenue is inconsistent with the surrounding area and inconsistent with the Comprehensive Plan. The Committee feels that the application does not meet any of

the standards for relief of a use variance as presented in the Zoning Ordinance. More specifically, the TRC feels that the site plan and application does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The Technical Review Committee feels that the use variance will alter the general character of the surrounding area and will impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Amica Mutual Insurance Co, 100 Amica Way, Lincoln, RI – Special Use Permit for the installation of an identification sign in exceeding 64 sq. ft with company name facing Route 146 Northbound.

AP 31, Lot 176 Zoned: ML 0.5

Members of the Technical Review Committee visited the site of the proposed sign and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of the Special Use Permit for the installation of an additional sign. The site plans specifically details the location and type of the new proposed signage. The Technical Review Committee feels that due to the unique location and size of the property that the requested signage will clarify its location along Route 146 highway.

Roland & Beth Sylvia, 17 Hammitt View Drive, West Greenwich, RI/Martbro Properties, LLC, 650 Hopkins Hill Road, West Greenwich, RI – Use Variance for the operation of a pet grooming plus two rental units at property located at 960 Smithfield Avenue, Lincoln, RI.

AP 6, Lot 181 Zoned: RG 7/RL 9

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of this use variance. The Committee feels that the application does not meet any of the standards for relief of a use variance as presented in the Zoning Ordinance. More specifically, the TRC feels that the site plan does not represent a parking lot layout that works. The parking spaces do not meet the zoning standards. The Technical Review Committee feels that the use variance will alter the general character of the surrounding area and will impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Ruth M. Chamberland, 1 Sayles Hill Road, Manville, RI – Comprehensive Permit Application for a two lot minor subdivision for property located at the intersection of Central Street and Division Street, Manville, RI.

AP 37, Lot 170 Zoned: RG 7

This application is to be reviewed under RIGL 45-53 as amended, the Lincoln Comprehensive Plan, Lincoln Affordable Housing Production Plan and the recently amended Town ordinance entitled “An Ordinance Establishing an Application and Administrative Procedures for Filing a Comprehensive Permit in Accordance with the State of Rhode Island Low and Moderate Income Housing Act – RI General Law 45-53”. According to the Town’s Ordinance, the

Comprehensive Permit application shall be presented to the Zoning Board for an advisory opinion.

This application represents the subdivision of one lot into two lots. The current parcel contains two buildings and associated parking. One building contains two dwelling units while the other building contains three dwelling units. There are a total of five dwelling units on the subject lot. The buildings, parking and public infrastructure are all existing improvements. This proposal entails subdividing the property into two lots thereby permitting greater latitude in the marketability of the separate properties. The present configuration renders homeownership difficult considering financial institutions treat properties such as this one as commercial apartment complexes unlike duplexes and triplexes that are defined as residential dwelling units.

Correspondence/Miscellaneous (*)

a. Lincoln Corporate Center AP 28 Lots 39 and 114 Administrative Subdivision Approved

Albion Road

This represented the addition of approximately 8,000 Square feet of land from Lot 114 to Lot 39. On February 16, 2007, the applicant successfully addressed all of the Administrative Subdivision requirements. Therefore, the plan was approved and the final plan was recorded.