

LINCOLN PLANNING BOARD

SEPTEMBER 26, 2007

MINUTES

The regular meeting of the Planning Board was held on Wednesday, September 26, 2007, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Mancini called the meeting to order at 7:04 p.m. The following members were present: John Mancini, Gerald Olean, Michael Reilly, Kenneth Bostic, John Hunt and Wilfred Ordonez. Member Greg Mercurio, Jr. arrived at 7:18 p.m. to join the meeting. Also in attendance were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand and Town Solicitor Joelle Sylvia. Russell Hervieux kept the minutes.

Chairman Mancini advised that six members were present; have strong quorum.

SECRETARY'S REPORT

Motion made by member Olean to move Secretary's Report to after item number 8, on the agenda, and seconded by member Ordonez. No discussion took place. Motion approved unanimously.

CONSENT AGENDA

Chairman Mancini reminded members that consent agenda has zoning applications (3 total), an Administrative Subdivision and a Bond Release. A consent agenda is normally voted on in total unless a member motions to remove an item. Motion made by member Olean to accept the consent agenda as presented by the TRC was seconded by member Bostic. Motion was approved unanimously.

MAJOR SUBDIVISION REVIEW

a. Michael Trenteseau Subdivision AP 22 Lot 11 Master Plan Discussion/

Michael Trenteseau Great Road Approval

Mr. Ranaldi stated that this is an application under the 2005 regulations which subdivides one lot into two single family lots. This application was elevated to a major subdivision because it requires zoning relief. The zoning relief required is existing nonconformities of the existing house. The house was constructed before zoning was enacted. This Planning Board has given a positive recommendation to the Zoning Board in regards to this required relief. The new lot will meet all current day zoning and subdivision requirements. The TRC is offering a positive recommendation to the Board. This application received a Certificate of Completeness on August 6, 2007. The Planning Board has until December 4, 2007 to make a decision. The

lot currently has service from sewer and water. The Water Commission is requiring both lots to connect to the new water main on Great Road. A soil erosion and sedimentation plan would be required at building permit stage. The TRC also recommends that drywells be installed for the new house. A Physical Alteration Permit would be required along with granite bounds on the property corners.

The TRC felt that these concerns could be easily met by the applicant. The TRC also recommends combining Master and Preliminary plan stages for this applicant.

Chairman Mancini asked if this application was currently before the Zoning Board and Mr. Ranaldi replied that it was on the agenda for Tuesday, October 2, 2007.

Attorney John Shekarchi, who represents the applicant, spoke to the Board. The applicant has agreed to follow all staff recommendations.

The nonconformance was created in the 1930's and early 1940's when Lincoln Woods was created. Attorney Shekarchi introduced Edward Pimental, certified planner, to speak for this applicant. Mr. Pimental gave a report stating that this subdivision will not require any waivers from the subdivision regulations or zoning regulations for the new lot. The structure is considered historical. Mr. Pimental feels he can obtain the necessary relief from the Zoning Board but needs Master Plan approval from this Board to do so. A majority of structures within 400 feet, of this lot, also have nonconformity issues in regards to zoning.

Chairman Mancini stated he had no issues with combining master and preliminary plans as long as the applicant was prepared to do so.

Combining the master and preliminary plans would mean a public informational meeting, at master plan level, would not be required but a public hearing would. Member Reilly expressed concerns about scheduling a public hearing before getting a response from the Zoning Board. Chairman Mancini stated that the public hearing could be scheduled for next month and if we don't hear from the Zoning Board we could table that hearing. Town Solicitor Sylvia stated that the vote on combining master and preliminary plans would be enough for the application to be heard by the Zoning Board, which normally needs master plan approval.

Member Hunt made a motion to move this application to a public hearing next month and combine master and preliminary plan stages.

Member Olean seconded the motion for discussion. Discussions took place to inquire whether applicant would be ready. Applicant stated yes. Motion was approved unanimously.

b. Angell Road Subdivision-Modification AP 44 Lots 12, 90 Project Phasing

Angell Road Development Co. Angell & Whipple Final Plan Approval

Mr. Ranaldi stated that this is a major subdivision at the final plan

stages. Engineering has some concerns about some drainage items in this project and has been working with the developer to clear them up. Approximately 98% of the public infrastructure has been installed and approved. The other 2% of the project has to do with some concerns on the lower detention basin. The developer has come up with a phasing plan which will enable them to record some of the lots, to sell or develop, and complete the balance of the lots at further stages. The developer has submitted a letter and a drawing of the proposed phasing into three parts. Phase I is independent of phases two or three. Phase I drains into the upper detention basin which has been approved by the Town. The other phase goes into the lower detention basin which is not currently approved. The TRC feels comfortable that this phasing plan will work for this project.

Some discussion ensued, by member Mercurio and member Mancini, that this remains one project with three phases and not three separate projects. It can not be three separate projects because the Planning Board only approved one project with no phasing at that time. Member Mercurio inquired whether our regulations allow for phasing. Chairman Mancini stated that State law and our own regulations allow for phasing of projects. Chairman Mancini expressed concerns that the developer did not come in with a phased project initially.

Eric Brainsky, Attorney, representing the applicant and owner, spoke about the phasing of this project, which is allowed under section 21

of the Subdivision Regulations as well as State Law. Issues regarding drainage arose during construction at the bottom of the development which is now being referred to as Phase II. The addition of the cul-de-sac, called Edward Lane, is now referred to as Phase III. This additional cul-de-sac was approved by the Planning Board last December. Phase I will incorporate all lots not affected by the drainage issues or by the new cul-de-sac. Member Reilly expressed concerns that phase I does not include a through street. The balance of the street is in phase II. Attorney Brainsky explained that the complete through street is currently installed and could be used for phase I. No problems are anticipated with drainage on either section of the street as the developer is working closely with Town Engineer N. Kim Wiegand. Member Bostic inquired whether any lots had been recorded. Attorney Brainsky answered no. The preliminary plan for this project was approved in 2004. Member Bostic inquired as to when the lots would be recorded. Attorney Brainsky replied that lots in Phase I will be recorded when Phase I final plan has been approved. Member Mercurio inquired as to what the negative affect on the developer would be if phasing was not approved. Attorney Brainsky answered that his client still has some work to be done in Phases II and III and wants to move this project along and finish the rest in a timely manner. Member Mercurio asked what his opinion of timely manner is. Jordan Durham, of E.A. McNulty Real Estate, stated that one house is currently on this lot and the client wishes to start building on lots near this lot. Member Bostic asked to what extent the drainage repairs required would affect the development of these other

lots. Mr. Durham explained that drainage repairs have been completed but not yet approved because the Town Engineer is waiting for seasonal high ground water to happen to test the basin.

Town Engineer, N. Kim Wiegand, spoke to the Board about the drainage issues. Issues are all on lower detention basin. Several issues arose on the initial installation of the lower detention basin and swale. Ground water was constantly working into the basin and swale. The developer made corrections and repairs. The basin was then weeping the water through the berm and was not being detained.

The developer made further repairs. The basin seems to be working now. Ms. Wiegand is now waiting to see what happens in December when the high ground water comes up. The developer has made efforts to channel water into the detention basin and not to the abutter. Ms. Wiegand also wants to check to make sure the outfall of this basin will not cause an intermittent stream during high ground water on the neighboring property. From an inquiry by Chairman Mancini, Ms. Wiegand stated that the developer would not get the lots at the bottom of the road if this detention basin were not to be accepted. Member Bostic inquired as to who maintains the unrecorded lots in this phasing process as to protect new homes being built. No answer was given. Ms. Wiegand stated she would like to see the phasing approved so the water from Phase I goes into the upper detention basin and not soak into the ground eventually making it to the lower detention basin. The infrastructure is not all approved. The sewer is looking good but the pump station has not

been approved yet. Water has been approved. The Town has not received as-built drawings yet. Once Ms. Wiegand receives the as-built drawings, she will check the drainage. Inspections were conducted during the course of construction and we do not expect any problems. The curbs are installed, the asphalt is to binder course and the sidewalks are not yet installed. Ms. Wiegand asked the developer not to install sidewalks until the houses are being installed because a large amount of fill will be required on these lots and the sidewalks could get damaged. Member Bostic expressed concerns about leaving the road at binder course. Ms. Wiegand stated all covers have been ramped. Ms. Wiegand stated the only people who could be affected by this phasing plan would be the current resident at the intersection of Whipple and the new road. The Town would be protecting this resident by allowing this phasing plan to give us time for analysis of the lower detention basin.

Member Olean questioned the Attorney as to how we could guarantee the through street remains if phases II and III are never approved. Attorney Brainsky stated that the project has already been approved with the through street which can't be changed.

Michael Kelly, Attorney, for the owner/applicant, asked Town Engineer N. Kim Wiegand if a bond would be required as part of the phasing. Ms. Wiegand replied there would be a bond required for the entire street. The Town will hold a bond to ensure the street will be completed. Member Olean expressed concern that the bond should

be large enough to cover the lower detention basin. Mr. Kelly expressed that the bond will be large enough to cover the road and any further repairs needed for the detention basin. Mr. Kelly again asked that the phasing plan be approved, with the recommendation of Ms. Wiegand, and that a sufficient bond will be posted. Member Mercurio inquired as to where Phase III will drain into. Mr. Kelly deferred the question to Josh Rosen of Commonwealth Engineers who stated that the upper detention basin, called basin 2, will support drainage from phases I and III. The lower detention basin, called basin 1, will serve Phase II. Mr. Kelly asked Mr. Rosen if there is enough area on the lot which contains basin 1 to further enlarge the basin, if necessary. Mr. Rosen replied yes. Member Reilly asked as to why Phases I and III are not combined. Mr. Rosen replied that timing does not allow for that because Phase III is still waiting for RIDEM permit which is pending. Member Reilly stated that the applicant caused their own delay by adding Edward Lane after the initial plan was approved.

Motion made by member Mercurio to approve the TRC recommendations for phasing. Motion was seconded by member Hunt for discussion. Member Bostic inquired as to whether the applicant could reduce it to two phases. Chairman Mancini stated that the motion is for three phases as per the plan. Motion was approved unanimously. Town Engineer N. Kim Wiegand asked if an additional requirement could be added to the motion to have applicant put surface course on the road at this time. Much

discussion ensued as to whether surface coat should be added now as it may get damaged in the construction of the lots and houses. Attorney Kelly stated his client would be willing to apply final coat on the road and make repairs to it if it gets damaged during further construction. Member Bostic inquired whether all subsurface utilities, in the road, have been approved. Ms. Wiegand stated that she has inspected the installations and is acceptable to her.

Motion made by member Hunt to approve Final Plan of Phase I with the condition that the final coat of asphalt be applied now and that if it is damaged during further construction the developer will make repairs. Motion failed due to lack of a second.

Member Mercurio made a motion to amend his original motion to add that the final coat of asphalt be applied now and that if it is damaged during further construction the developer will make repairs. This motion includes Final Approval of Phase I. Member Hunt seconded that motion. Town Planner Al Ranaldi wanted clarification that for him to give Final approval of Phase I, the final coat of asphalt must be applied but the street trees and sidewalks don't? Several members answered that is correct. Mr. Ranaldi disagreed with this. Member Mercurio called for the vote. Motion was approved unanimously.

c. Kirkbrae Ledges – Phase 11 AP 32 Lot 45 Master Plan Extension
Kirkbrae Ledges, LLC Lancers Lane & Hemlock Road

Town Planner Al Ranaldi stated that this application received revised master plan approval with conditions on October 26, 2006. The applicant is requesting a one year extension of master plan until October 26, 2008. The TRC recommends approval of this request.

Eric Brainsky, Attorney, for the applicant, explained to the Board that his client is requesting this one year extension to acquire a permit from RIDEM. The application with RIDEM is pending and expects to receive it within 60 – 90 days. Member Olean inquired as to when the application to RIDEM was applied for. Attorney Brainsky replied in February of 2007. There were some initial issues with the application and they have now been resolved.

Motion made by member Olean to accept the TRC recommendation to approve a one year extension. Motion was seconded by member Reilly. No discussion took place. Motion was approved unanimously.

d. Cider Mill Subdivision AP 23 Lots 118, 206 Preliminary Plan Extension

Robert J. Bouthillier Great Road-Cider Mill Lane

Chairman Mancini noted that the agenda states Preliminary Plan Extension however the TRC is recommending a maintenance bond approval. Chairman Mancini asked to have the agenda amended to read “Preliminary Plan Extension/Maintenance Bond Approval”.

Member Olean made such a motion and it was seconded by member Reilly. Motion was passed unanimously.

Town Planner Al Ranaldi stated that this application is under the 1995 regulations. It was a subdivision of two lots into eight single family lots. Applicant received preliminary plan approval on June 25, 2003. An amendment to this plan was made in June 2004 and approved in September of 2004. That was extended until December of 2004. Currently, the public improvements have been completed. They are in substantial compliance with the approved plans but the time on the preliminary plan approval has run out. The TRC recommends a six month extension until December 25, 2007. At this time the developer needs to present the easement documents for review/approval by the Town Solicitor. The developer can then submit final plans for Final Plan recording.

John Shekarchi, Attorney, for the developer answered questions from the Board. Attorney Shekarchi explained that he is relatively new to this project. There seemed to be some confusion between the owner and Town staff as to the time line. This developer, being a first time developer, was confused on policies and sent a letter but did not make a formal request for an extension. The letter was also sent after the deadline. Chairman Mancini inquired as to the name of the owner.

Attorney Shekarchi replied the owner is Robert Bouthillier and the road contractor is Douglas Vaughn. Attorney Shekarchi stated that his client has read the TRC recommendations and has no problem agreeing to them.

Motion was made by member Olean to accept the TRC recommendations for a six month extension of preliminary plan and a bond approval. Motion was seconded by member Mercurio. Motion was approved unanimously.

MINOR SUBDIVISION REVIEW

a. Carriage Drive Subdivision AP 16 Lot 9 Final Plan Discussion/ Little Max Realty, LLC Carriage Drive Approval

Town Planner Al Ranaldi stated that this application is under the 2005 regulations. It is a subdivision of one lot into two lots. The reason this is before the Board tonight is because this subdivision involved moving an existing house to accommodate the subdivision. The owner has satisfactorily complied with all the Town requirements. The TRC recommends approval of the Final Plan. All the conditions on the preliminary plan approval have been met.

Motion made by member Hunt to approve the Final Plan with conditions as recommended by the TRC. Member Mercurio seconded the motion. Motion was approved unanimously.

SECRETARY'S REPORT

The Board was given five sets of minutes to review. They are as

follows: June 21, 2006, February 28, 2007, March 28, 2007, July 19, 2007 and July 25, 2007. The Town Planner Al Ranaldi stated that he has reviewed all of these minutes.

Motion made by member Olean to dispense with the reading of all five minutes which was seconded by member Mercurio. Motion was approved unanimously.

Motion made by member Olean to accept the minutes of June 21, 2006 as presented was seconded by member Mercurio. Motion was approved unanimously.

Motion made by member Olean to accept the minutes of February 28, 2007 as presented was seconded by member Mercurio. Motion was approved unanimously.

Motion made by member Olean to accept the minutes of March 28, 2007 as presented was seconded by member Bostic. Motion was approved unanimously.

Motion made by member Mercurio to table the minutes of July 19, 2007 was seconded by member Olean. Member Mercurio believes there are some errors in this document and wishes members to review before voting on them. Motion was approved unanimously.

Motion made by member Olean to accept the minutes of July 25, 2007 as presented was seconded by member Mercurio. Motion was

approved unanimously.

Member Mercurio inquired as to the status of the Homewood Suites application. It is currently before the Zoning Board.

Chairman Mancini wanted to discuss a letter received from Attorney Michael Kelly regarding Quinnville Commons. Member Reilly briefly explained the content of the letter. The letter describes that the developer is ok with upgrading the pump station as long as the Town provides documentation that it is required. Chairman Mancini expressed that the Board has asked the developers in the past for information at the master plan level which is normally required at the preliminary plan level. This is for the developer's protection as to not have future surprises. Chairman Mancini wanted to know if the Town has received the list of variances and waivers that will be required for this project. The Town has not. Currently there is no official application for Quinnville Commons before this Board so the clock has not started. Discussions ensued to clarify how the stages work and when approvals are needed. Chairman Mancini expressed that the Board just needs to follow proper procedures.

Member Mercurio wanted to speak on phasing. Member Mercurio remembers asking the developer of the Angell Road Subdivision if they were sure this was one complete project. He feels that the request for phasing tonight goes against what they said in the past.

Motion made to adjourn by member Olean was seconded by member Reilly. Motion was approved unanimously. Meeting adjourned at 8:37 p.m...

Respectfully submitted,

Russell Hervieux

Attached September TRC Report:

On September 18, 2007, at 2:30 pm, the Technical Review Committee met to review the agenda items for the September 26, 2007, meeting of the Planning Board. In attendance were Al Ranaldi, Russell Hervieux, Margaret Weigner, Kim Wiegand, and Wilfred Ordonez. Below are the Committee's recommendations:

Major Subdivision Review

a. Michael Trenteseau Subdivision AP 22 Lot 11 Master Plan Discussion /

- Michael Trenteseau Great Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one residential lot into two single-family residential lots. The lots are accessed from Great Road. The subject project is located in zoning district RL-9 (9,000 square feet – Residential Limited). This application is classified as a Major Subdivision due to its need for a dimensional variance for the existing house. On August 6, 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 December 4, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. This project is in front of the Planning Board for a master plan discussion / approval. The submission includes two plans entitled “Record Plan” and “Preliminary”, Major Subdivision AP 22 Lot 11, Great Road in Lincoln, Rhode Island, prepared for Michael Trenteseau by Marsh Surveying Inc., dated April 11, 2007. Other information received included a letter of water service availability dated July 19, 2007 from the Lincoln Water Commission and notification of sewer

availability from the sewer supervisor dated July 17, 2007.

Utilities

The new lot is shown to be connected to public water and sewer. The sewer supervisor has stated that public sewers are available. The applicant must obtain a permit from Narragansett Bay Commission for sewer discharge. The applicant has received preliminary approval for water service to the proposed new lot from the Lincoln Water Commission with the condition that the existing water service be relocated from the old water main (scheduled for abandonment) to the new water main. The new water service is to be connected to the new water main.

Site Plan/ Wetlands/ Drainage

Per the Town ordinance, a sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site. There appear to be no wetlands on or adjacent to the property. Notes #15 and #16 regarding construction above the seasonal high groundwater and the installation of a dry well are recommended to be included in any subdivision approval. The applicant must obtain a Physical Alteration Permit from RIDOT for the proposed driveway for the new house as a condition of this subdivision.

Record plan

Granite bounds must be shown marking the location of the property

corners.

The Technical Review Committee feels that the above noted concerns can be easily addressed by the applicant. The TRC also feels that the application represents Preliminary Plan status. Therefore, the TRC recommends that the Planning Board combines the Master and Preliminary Plan stages. The Technical Review Committee recommends that the applicant addresses the above noted concerns and if they are successful in getting the requested zoning variances, that they come back to the Planning Board at the Preliminary Plan Public Hearing stage in October. The TRC would also like to note that an abutters list would be needed for this public hearing.

**b. Angell Road Subdivision AP 44 Lots 12, 90 Project Phasing
- Angell Road Development Co. Angell Road, Whipple Road Final
Plan Discussion / Approval**

This application is under the 2005 Subdivision Regulations and represents the subdivision of two lots into fifteen single family lots. The proposed lots will be serviced with public sewer and water. The subject lots are located in zoning district RS-20 (20,000 square feet – Residential Single Family). A substantial portion of the public improvements have been installed.

The applicant is requesting that the Planning Board allow the project to be divided into phases in accordance with Section 21 of the

Subdivision Regulations. As presented in the applicant's letter to the Administrative Officer, the applicant is requesting that the subdivision be divided into three phases. Phase 1 would be comprised of lots 1-4, 7-9 12-13, and detention basin #2. Phase 2 would be comprised of subdivision lots 5-6 and detention basin #1. Phase 3 would be comprised of lots 10-11, 14-15 and the new cul-de-sac labeled "Edward Lane". The purpose of this request is to allow Phase 1 of the project to proceed to final plan approval while the applicant and the Town work on completing the improvements to detention basin #1 and the installation of Edward Lane.

The Technical Review Committee and the Engineering Division have reviewed the above phasing proposal and request for final plan approval of Phase 1. The submission includes a plan entitled "Modification to an Approved Subdivision for Angell Road Subdivision – Phasing Plan – AP44 Lot 12 and 90", prepared for E.A.M. Properties, LLC by Commonwealth Engineers and Consultants, dated July 16, 2007. The TRC recommends approval of the proposed phasing plan and final plan approval of Phase 1. Based on the phasing plan, each phase works independently of the other phases. The public improvements needed to service Phase 1 are installed and complete. Therefore, the lots will be serviced without any interruptions. Final Plan approval of Phase 2 and 3 of the project will depend on the applicant's ability to complete the requested improvements.

c. Kirkbrae Ledges Subdivision – Phase 11 AP 32 Lot 33 Master

Plan Extension

- Kirkbrae Ledges, LLC Lancers Lane & Hemlock Road

This Revised Master Plan (08-03-06) application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 11 single-family residential lots. The project is proposed to be reviewed in one phase. One house lot is proposed to be developed at the end of Hemlock Road. Ten house lots are proposed to be developed off of an extension of Lancers Lane. On October 26, 2006, the Master Plan was approved with conditions. As presented in the application for a time extension, the applicant has been diligently working to obtain the necessary approvals from the Rhode Island Department of Environmental Management. The applicant is requesting a one year extension until October 26, 2008 to submit for Preliminary Plan. The TRC has reviewed the application and recommends approval of this request.

d. Cider Mill Subdivision AP 23 Lots 118 and 206 Preliminary Plan Extension

- Robert J. Bouthillier Great Rd-Cider Mill Lane

This application is under the 1995 Subdivision Regulations and represents the subdivision of two lots into eight (8) single-family residential lots. On June 25, 2003, the Preliminary Plan was approved with conditions. An amendment to the plan was submitted on July 2004 and approved on September 2004. At this meeting, the Planning

Board extended the Preliminary Plan vesting period from June 25, 2004 to December 25, 2004. Construction began during November of that year. The applicant has been working to finish the public improvements. On September 7, 2007, the Town Engineer inspected the construction at Cider Mill Estates and found it to be in substantial compliance with the approved plans. However, the Preliminary Plan approval has run out. The applicant is requesting a one year extension of the Preliminary Plan in order for him to submit for final plan approvals. The TRC has reviewed the application and recommends approval of a six month extension from June 25, 2007 to December 25, 2007. The TRC would also recommend approval of the submitted maintenance bond amount as submitted by the Town Engineer.

The documents needed for Final Plan approval are as follows:

- 1. Convert the \$29,000 remediation bond to a maintenance bond in the same amount**
- 2. All easement documents must be reviewed and approved by the Town Solicitor.**
- 3. Submit the required plans for final plan recording.**

Minor Subdivision Review

- a. Carriage Drive Subdivision AP 16 Lot 9 Final Plan Discussion /
- Little Max Realty LLC Carriage Drive Approval**

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two residential lots. All lots

are accessed from an existing road. The subject lots are located in zoning district RS-12 (12,000 square feet – Residential Single Family). The proposed project is classified as a Minor Subdivision.

On December 20, 2006, the Preliminary Plan submittal for the above noted project received Preliminary Plan Approval with Conditions.

The conditions are as follows:

1. A sedimentation and erosion control plan must be submitted for review and approval at the time a building permit is requested.
2. The developer must obtain approval for the Narragansett Bay Commission for the additional indirect discharge.
3. A note must be added to the plans stating that when the existing well on site is abandoned, it must be closed according to the appropriate RIDEM regulations.
4. The existing house must be moved before final plan can be granted.
5. A note must be added to the plans stating that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation.
6. Granite bounds must be shown marking the location of the property corners.

Due to the unique nature of this subdivision, final plan approval was not delegated to the Administrative Officer. The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan

submission standards and requirements and the approval conditions.

The applicant has successfully addressed all of the conditions. Therefore, the TRC recommends approval of the final plan.

Zoning Applications (*) – October Zoning Applications

Armand Brunelle, 7 Grandview Avenue, Lincoln, RI – Dimensional Variance application seeking side yard relief for the construction of an addition.

AP 16, Lot 36 Zoned: RS 12

The proposed dimensional variance is to clear up the pre-existing nonconformance of this parcel of land. This lot and existing building was platted and developed before present day zoning regulations. The Technical Review Committee recommends Approval of this application. The TRC finds that the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.

Charles Bishop, Jr., 30Walker Avenue, Lincoln, RI – Special Use Permit application to expand existing residential use of property for 5 additional residential units.

AP 3, Lot 171 Zoned: RG 7

Members of the Technical Review Committee visited the site and

reviewed the submitted plans and application. The TRC recommends Denial of the application for a Special Use Permit. The Committee feels that the application does not address significant issues related to increasing the existing property from five residential units to ten units. The application does not address stormwater runoff, vehicular safety between the driveway and the intersection, and does not address the new Inclusionary Zoning ordinance that states that all new residential development of five or more units shall have 20% of the units designated as affordable housing. The TRC also feels that the proposed project is not consistent with the surrounding neighborhood. The area is made up of single and two family houses. The only multi-family unit is the applicant's. The TRC feels that this proposal will be inconsistent with the area and inconsistent with the goals and objectives of the Comprehensive Plan.

Charles Bishop, Jr., 30Walker Avenue, Lincoln, RI – Dimensional Variance application for lot width relief to expand existing residential use of property for 5 additional residential units.

AP 3, Lot 171 Zoned: RG 7

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The TRC recommends Denial of the application for a dimensional variance. The Committee feels that the application does not meet any of the standards for relief of a dimensional variance as presented in the Zoning Ordinance. The Technical Review Committee feels that the dimensional 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.

Correspondence/Miscellaneous (*)

1. Roohani AP25 Lots 12 and 17 Administrative Subdivision Approval

This represents an administrative subdivision between two residential lots. This subdivision was recorded on July 23 , 2007.

2. Lincoln Ridge Business Park – AP41 Lot 58 Remediation Bond Release

A remediation bond of \$9,500.00 was set to restrict access to the site and maintain erosion and sedimentation controls if needed. The Town Engineer has inspected the site and determined that the project is stabilized such that the bond can be released.