

LINCOLN PLANNING BOARD

AUGUST 26, 2009

APPROVED

The regular meeting of the Planning Board was held on Wednesday, August 26, 2009, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Olean called the meeting to order at 7:02 p.m. The following members were present: Gerald Olean, Timothy Griffin, Michael Reilly, Greg Mercurio Jr., John Hunt and Wilfred Ordonez. Also in attendance were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand and Joelle C. Sylvia for the Town Solicitor. Russell Hervieux kept the minutes.

The following member was absent from this meeting: Kenneth Bostic.

Chairman Olean advised that six members were present; have quorum.

CONSENT AGENDA

Chairman Olean reminded members that the consent agenda has six zoning applications, six recorded decisions and staff reports. A consent agenda is normally voted on in total unless a member

motions to remove an item.

Chairman Olean questioned Mr. Ranaldi as to why there are so many recorded decisions under correspondence/staff reports. Mr. Ranaldi explained that the new law requires all decisions of the Board to be recorded and he had fallen behind on a few of them.

Motion was made by member Griffin to accept the consent agenda as presented was seconded by member Reilly. Motion was approved by all members present.

MAJOR LAND DEVELOPMENT REVIEW

a. Century Associates, Proposed Building AP 31 Lot 44 Preliminary Plan

Century Associates, LLC 1992 Old Louisquisset Pike Discussion/Approval

Mr. Ranaldi stated that this application is at preliminary plan under the 2005 subdivision regulations for a major land development.

The proposed project is a 15,000 square foot office building with associated parking. The applicant received all the zoning relief on August 4, 2009 that it required. The relief granted was for building height and parking. This application received a certificate of completeness on August 18, 2009 and the Board has until December 16, 2009 to make a decision. Other than a few technicalities which are outlined in the TRC report, the TRC found that the information

supplied at master plan stage was at the preliminary plan level. One of the conditions the TRC would require is to have an independent engineer supervise the installation of the underground drainage system and submit a report of approval to the Town at final plan. Other than that, the TRC feels all of the concerns are minor in nature and can be addressed by the next meeting. The TRC recommends that the applicant comes back in September for a Public Hearing.

Michael Elliot, representing Century Associates, gave a brief presentation to the Board. Mr. Elliot stated that he agrees with Mr. Ranaldi's report and is before the Board tonight in case the Board had specific questions for him. Mr. Elliot did request that the Board set the Public Hearing on the agenda for next month. Chairman Olean questioned whether the applicant would be prepared to answer the questions of the TRC by the next meeting. Mr. Elliot replied that he would. Mr. Elliot further stated that he has his two utility permits in hand and he is waiting on the Physical Alteration Permit which should be soon.

Motion was made by member Reilly to move this application to a Public Hearing at the September 2009 meeting per the TRC recommendations was seconded by member Hunt. Motion was approved by all members present.

b. RJB Properties – Bldg #3 AP 31 Lot 12 Master Plan

RJB Properties 640 George Washington

Hwy. Discussion/Approval

Mr. Ranaldi stated that this application is for a land development project at master plan level. This application is under the 2005 subdivision regulations. This application proposes a new two story 30,000 square foot office building with associated parking. The new office building will be serviced by public water and sewer. If the Board remembers, the southern most area of this parcel had the proposed Marriott Hotel. This proposal meets all of the zoning requirements. This application received a certificate of completeness on July 15, 2009 and the Board has until November 12, 2009 to make a decision. The TRC reviewed this application and had a few concerns.

The major concern of the TRC was traffic. The TRC had traffic concerns with the hotel proposal and would like an update with this new proposal for any additional traffic concerns. The applicant has submitted a traffic report which apparently includes the hotel traffic. Other than the traffic, the TRC feels that the rest of the concerns are minor in nature and can be addressed by the applicant by the next meeting. The TRC recommends a Public Informational meeting be held at the September 2009 meeting.

Scott Lindgren, engineer for the applicant made a presentation to the Board. Mr. Lindgren stated he has Michael Desmond, traffic engineer, with him tonight to go over the traffic concerns. Mr. Ralph Branca is also in attendance representing RJB Properties. Since last month, the traffic report has been completed and submitted to the Town. The

other main concern was with the public water. The applicant and Lincoln Water Commission have come to an agreement for an acceptable solution. The preliminary plan documents will concentrate only on the new office building as not to confuse this application with the hotel approval. This application represents a 30,000 square foot office development located to the rear of the existing office building. The plan shows the parking spaces for both the existing office and the new office building. There are a total of 229 spaces which meets the requirements of the zoning regulations. Mr. Lindgren stated that more detailed designs of the drainage and utilities are in the preliminary plan stage of approval. Mr. Lindgren believes the sewer easement that the TRC is requesting already exists with the recorded deed of this property. A copy of this deed has been forwarded to the TRC. Mr. Lindgren would like Mr. Desmond to go over the recently submitted traffic study at this point.

Michael Desmond, traffic engineer for the applicant made a presentation to the Board. Mr. Desmond stated he presented a report a little over a year ago regarding the hotel project on this parcel. He has upgraded that report and included the hotel traffic as background traffic as if the hotel already existed. The report now includes the traffic that would be added by the proposed office building. Mr. Desmond used the traffic counts generated for the hotel project a year ago. Trends seem to show vehicle miles traveled seem to be decreasing over the last few years. The improvements proposed for the hotel project at the intersection of Blackstone Valley Place and

George Washington Highway would have to be installed for this project also. This would include a right turn lane on Blackstone Valley Place and an acceleration lane on George Washington Highway. These improvements would be required for either project to receive a Physical Alteration Permit from RIDOT. The RIDOT has taken a preliminary look at this improvement design and has agreed with it. The level of service analysis for both morning and evening peak hours would not change the level of service at the intersections with this project. Member Reilly questioned why this office would not add any changes to the intersection especially at Blackstone Valley Place with the addition of this office building. Mr. Desmond replied that the office will add no more than one more vehicle per minute or cycle of the signal. Chairman Olean questioned how the same intersection improvement design works for both the hotel project and this office building project. Mr. Desmond replied that this design was based on both buildings being constructed so it would be a little overkill for one project alone.

Scott Lindgren continued with his presentation to the Board. Mr. Lindgren stated that he has gone through the TRC report and have already addressed some of the issues. The sewer easement has been addressed as reported earlier tonight. The other items are issues that would be addressed at the filing of preliminary plan. The issue with the Lincoln Water Commission has been cleared up also. There was some confusion on the location of a hydrant that wasn't really necessary and its connection to the backflow preventer. The details

of the water services have been worked out and with the removal of the hydrant the LWC is now agreeable with the design.

Motion made by member Hunt to move this application to a Public Informational meeting at the September 2009 meeting was seconded by member Griffin. Motion was approved by all members present.

ZONING ORDINANCE AMENDMENT

a. An ordinance in amendment to 260-14M of the Recommendation to Town Council

Zoning Ordinance for the Town of Lincoln

Chairman Olean stated that Town Planner passed out a copy of the proposed amendment to each Board member. The handout is a sample of what this Board would recommend to the Town Council. Chairman Olean also stated that a letter was received today from the Friends of the Hearthside endorsing this amendment. A copy of this letter is to be attached to these minutes.

Mr. Ranaldi stated that over the last year or so the Town has been receiving several applications for telecommunications towers. One of these applications brought to light a concern the Town has on these towers. The concern is having these towers introduced to historic vistas and areas of Town. A councilman proposed an ordinance to help restrict towers from being installed in these areas. This

proposal is an amendment to section 260-14M of the Zoning Ordinance. This amendment applies to new proposed towers not collocations on existing structures. The proposal calls for five elements. One element is that applicant would have to submit a visual impact analysis. The second element is can not be approved where the tower will interrupt with historic views and vistas unless it is concealed to a great degree. The third element is applicant has to submit evidence that all telecommunication companies have been contacted and have any interest in the proposed location. This would be to reduce the total amount of towers. The fourth element is the setbacks for the new tower from the property lines would be no less than 1.5 times the height of the tower. The fifth element is the equipment structure shall not exceed 750 square feet in area nor exceed 12 feet in height. This proposed amendment adds a few more elements to the existing ordinance on record. The TRC reviewed this amendment and recommends the Planning Board send a positive recommendation to the Town Council. The letter Mr. Ranaldi submitted tonight is a draft of the recommendation to the Town Council which has all the critical points required by the Zoning Ordinance. Member Ordonez questioned what the title of section 260-14M was. Mr. Ranaldi replied "telecommunications towers". Member Mercurio questioned whether there was a definition of a telecommunications tower in the zoning ordinance. Mr. Ranaldi stated that there are definitions written into the current ordinance. Chairman Olean questioned whether an applicant could ask for relief from this amendment if approved. Ms. Sylvia stated that as with all

parts of the zoning ordinance an applicant can ask for relief.

Motion made by member Griffin, having considered each of the purposes of zoning per State law, the recommendations of the TRC which are incorporated in this motion, and the general consistency of this zoning amendment to the Town's Comprehensive Plan, to give a positive recommendation to the Town Council was seconded by member Reilly. Motion was approved by all members present.

Chairman Olean thanked Town Engineer N. Kim Wiegand for her service to the Town of Lincoln and especially for her service to this Board. Ms. Wiegand is moving to other employment and tonight is her last meeting with this Planning Board. All members wished her well.

Motion was made by member Griffin to adjourn which was seconded by member Mercurio at 8:01 pm. Motion was approved by all members present.

Respectfully submitted,

Russell Hervieux