

LINCOLN PLANNING BOARD

DECEMBER 16, 2009

APPROVED

The regular meeting of the Planning Board was held on Wednesday, December 16, 2009, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Olean called the meeting to order at 7:04 p.m. The following members were present: Gerald Olean, Timothy Griffin, Kenneth Bostic, John Hunt and Wilfred Ordonez. Also in attendance were Town Planner Albert Ranaldi, and Joelle C. Sylvia for the Town Solicitor. Russell Hervieux kept the minutes.

The following members were absent from this meeting: Michael Reilly and Greg Mercurio Jr.

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

CONSENT AGENDA

Chairman Olean reminded members that the consent agenda has three zoning applications, two recorded decisions and staff reports. A consent agenda is normally voted on in total unless a member motions to remove an item.

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

COMPREHENSIVE PERMIT

a. Almeida Multi-Family AP 5 Lot 26 Master Plan

Joseph Almeida, Jr. 1683-1685 Lonsdale Ave. Discussion/Approval

Mr. Ranaldi stated that this application is reviewed under the 2005 subdivision regulations, Town Comprehensive Plan, Town Affordable Housing Plan and Town Ordinance for filing a Comprehensive Permit.

This application received a certificate of completeness on September 15, 2009 and the Board has until January 13, 2010 to make a decision at master plan level. The project represents the development of one structure with six residential units which are to be rentals. Two of the six rental units are to be deeded as affordable by Rhode Island Housing standards. Each unit has a garage and an outdoor parking space for two per unit. There will also be three separate visitor parking spaces. The project will be serviced by public water and sewer and will be accessed by an easement on the side of the property to Lonsdale Avenue. Storm water will be mitigated by two under ground units and one above ground basin. A public informational meeting was held on November 18, 2009. There were a few resident concerns expressed at this meeting which are noted in

the TRC report. There are a total of four waivers requested for this project. The first waiver is a front yard setback, the second is a side yard setback, the third is for lot coverage and the fourth is a density waiver. The TRC reviewed this application and have some recommendations. The TRC feels that the applicant meets a majority of the comprehensive permit criteria. One direct abutter requested that a six foot fence be installed between the properties for privacy concerns. The Board has expressed some concern over the density of this project at previous hearings. The TRC recommends that the applicant address the aforementioned concerns and any additional concerns that may be brought up at the January Board meeting. The TRC would also like to point that the time for this Board to make a decision will run out on January 13, 2010.

John Shekarchi, attorney for the applicant, made a brief presentation to the Board. Mr. Shekarchi stated that his client apologizes for any miscommunication as far as missing the public informational meeting. It was the applicants understanding that they would not appear before this Board before first going to the Zoning Board. There was no intent not to come to the public informational meeting just a misunderstanding. The applicant did appear before the Zoning Board and received a positive recommendation. Chairman Olean expressed a concern that the applicant was not at the public informational meeting. Chairman Olean questioned whether the applicant would be willing to extend the time frame the Board has for approval. Attorney Shekarchi stated that the applicant was willing to

extend the time frame for approval. Attorney Shekarchi went on to introduce the applicant's representatives at this meeting.

Daniel Campbell, professional engineer representing the applicant made a brief presentation to the Board. Mr. Campbell wanted to address the concern of the installation of a six foot white privacy fence along the border of the abutting property. The plan currently calls for a four to six foot fence. The applicant has agreed to modify the plan to say a six foot white fence. The applicant has also agreed to plant some evergreens along that side of the property. Mr. Shekarchi wanted Mr. Campbell to address traffic related issues. Mr. Campbell stated that the applicant is utilizing an existing curb cut along Lonsdale Avenue which is approximately 30 feet wide. This curb cut has adequate sight distance in both directions. Utilizing this existing curb cut will help with the design of this site to maintain the consistency with the existing neighborhood. This project will connect into the Narragansett Bay Commission sewer line on Lonsdale Avenue. The public water has been configured per the Lincoln Water Commission comments. The drainage system has two underground systems and one small above ground detention basin. One underground system takes the roof drainage and the other underground system takes the water from the detention basin. The soils in that area are pure gravel so we expect very good drainage of the water.

Ms. Sylvia gave a brief representation of the Zoning Board findings

on this application. Ms. Sylvia stated that the Zoning Board did give this application a positive recommendation. The Zoning Board considered all the zoning relief required for this project. They looked at the normal standards and weighed them against the Town's need for affordable housing. The applicant made a brief presentation. There were several questions of the applicant including why the building was so close to the road. The questions were sufficiently answered. The Zoning Board felt the design was in keeping with the general design of the area. The Zoning Board felt the applicant requested minimal relief on the setbacks. There were some discussions about the density and why the applicant does not reduce this application to five units. The applicant explained to the Zoning Board that six units were necessary to make this project work from a monetary standpoint.

Member Hunt explained that he had a concern with the density of this project. Member Hunt believes the applicant is requesting too many units for this site. Member Hunt believes this project would work better with five units thus reducing the amount of waivers being requested. Member Hunt also stated that this current plan does not completely blend in with the buildings currently in the area. Mr. Shekarchi explained that the initial project proposed six units with no affordable units through a zoning special use permit. Through that process and discussions with Town officials, we submitted a comprehensive permit to afford the Town two affordable units and make the project better conform with the surrounding area. Mr.

Shekarchi further stated that his client has reviewed the numbers and doing five with two affordable units does not work financially. The project needs six units to work.

Chairman Olean had question about the existing curb cut on Lonsdale Avenue. Mr. Campbell explained that the curb cut is on the adjacent property which this property currently has an easement to use. The applicant will modify that driveway slightly to facilitate better drainage. Chairman Olean would like the applicant to supply a copy of that easement document so the Board can review it. Mr. Shekarchi agreed to supply the document. Chairman Olean stated we will defer this application to next month's meeting with the applicant's consent. Mr. Shekarchi agreed.

**b. The Residences at Stone Creek AP 20 Lot 15 Preliminary Plan
Break Hill Development, Inc. Breakneck Hill
Rd. Discussion/Approval**

Mr. Ranaldi stated that this application has been around for a significant amount of time. The previous time the applicant appeared before this Board there was a concern about the wetlands. The applicant has resolved that concern and developed a plan that meets all of the requirements. The plan has changed, however, the TRC felt that the change was not significant and that the plan was similar to the earlier plan submitted. The applicant is before the Board tonight to reacquaint the members with the status of this project. This

application is at a preliminary plan stage but has not gone through a public hearing as of yet. The new plan calls for 61 residential age restricted condominium units of which 16 are affordable. The buildings are comprised of 4 four unit buildings, 7 three unit buildings and 12 two unit buildings with associated driveways. The market rate units will be approximately 1,600 square feet each and the affordable units will be approximately 1,200 square feet each. All units will be served by public sewer and water. The road will be a private looped roadway approximately 1,920 feet long by 24 foot wide.

The road will have asphalt curbs and a four foot wide sidewalk. The TRC reviewed the site plan and felt the new plan was not a significant change from the original plan. The detention basin that was previously along the property line has been eliminated. The applicant is still prepared to upgrade the Butterfly Estates pump station as part of this project. The TRC felt that if the Board is comfortable with the new concept then the applicant can move forward to the next step. The full plan with all the engineering has not yet been submitted.

John DiBona, attorney for the applicant, made a presentation to the Board. Mr. DiBona explained that this project has taken a long time because the wetland area had changed after the initial design. This project has had to go back through RIDEM approvals several times. The drainage calculations were submitted to the Town prior to the Town Engineer leaving. Former Town Engineer N. Kim Wiegand agreed with the report on drainage. The affordable units are integrated throughout the project and the buildings. Each style of

building has some affordable units included in them. The applicant is now requesting to move to a public hearing at the next meeting. The applicant has sent a letter to the Board extending the time for approval to the end of March 2010. Chairman Olean reminded the applicant that the Butterfly Estates pump station must be upgraded prior to any construction starting on this project at the applicant's expense. Mr. DiBona stated that the applicant understands that they must do that work even if the YMCA project does not contribute.

Motion made by member Bostic to accept the TRC recommendations to move this application to a Public Hearing next month was seconded by member Hunt. Motion was approved by all members present.

MAJOR SUBDIVISION REVIEW

a. Stone Way Subdivision AP 23 Lot 91 Master Plan

Crescent Properties, Inc. Dexter Rock Road Discussion/Approval

Mr. Ranaldi stated that this application is under the 2005 subdivision regulations. It represents the subdivision of 1 lot into 3 residential lots. This application was elevated from a minor subdivision to a major subdivision because it includes a 248 foot long cul-de-sac roadway. The project is proposed to be serviced by public sewer and water. This area is zoned RA-40 which requires 40,000 square foot lots minimum. The project is requesting two subdivision waivers

both applied to lot #2. This lot would require an interior angle greater than 200 degrees waiver and a lot depth to width ratio waiver. The project received a certificate of completeness on December 9, 2009. The Board has until April 8, 2010 to make a decision. The TRC reviewed this master plan submission. The sewers would be a gravity system connected to Dexter Rock Road. The applicant will need an approval from Lincoln Water Commission before preliminary plan stage. The drainage system consists of one basin which meters into an existing wetland. This was previously reviewed by the former Town Engineer. A more detailed review would be required for preliminary plan. The former Town Engineer reviewed the traffic data and felt this subdivision would be an acceptable addition to this roadway.

Daniel Campbell, professional engineer for the applicant, made a brief presentation to the Board. Mr. Campbell stated that the previous configuration of a four lot subdivision was reduced to a three lot subdivision because of ledge and wetlands issues. A three lot subdivision with an approximately 250 foot roadway seems to be the best layout for this site. The location of the road is the only place for it because a movement in either direction would severely affect the sight distance at Dexter Rock Road. This project has a gravity fed sewer and a gravity fed drainage system. The drainage system was designed to drain into the existing wetland on site. Member Hunt complimented the engineer and applicant for reviewing their original plan and coming up with something better. Chairman Olean

questioned whether the engineer is familiar with the recommendations of the TRC. Mr. Campbell replied that he was familiar with them and has no questions.

Motion made by member Griffin to move this application to a public hearing was seconded by member Bostic. Motion was approved by all members present.

SECRETARY'S REPORT

The Board was given one set of minutes to review. They are for November 18, 2009. The Town Planner Al Ranaldi stated that he has reviewed these minutes.

Motion made by member Griffin to dispense with the reading of the November 18, 2009 minutes and accept them as presented was seconded by member Hunt. Motion was approved by all members present.

Motion was made by member Bostic to adjourn was seconded by member Griffin at 7:55 pm. Motion was approved by all members present.

Respectfully submitted,

Russell Hervieux

Attached December TRC Report:

On December 9, 2009, at 3:00 pm, the Technical Review Committee met to review the agenda items for the December 16, 2009 meeting of the Planning Board. In attendance were Al Ranaldi, Russell Hervieux, Timothy Griffin, Peggy Weigner, and Michael Gamage. Below are the Committee's recommendations.

Comprehensive Permit

**a. Almeida Multi-Family AP 5 Lot 26 Master Plan Land Development
- Joseph Almeida, Jr. 1683 – 1685 Lonsdale Ave Discussion /
Approval**

This application is to be reviewed under the 2005 Subdivision Regulations, 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”. On September 15, 2009, 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 January 13, 2010, or within such further time as may be consented to by the applicant.

This project represents development of one structure having 6 residential rental units, two of which will be designated as affordable and rented at the established affordable rental rate. Each unit will have a garage and one outdoor parking space. Three visitor parking spaces will also be provided. The complex will be serviced by public sewer and water. Access to the complex is from an existing easement of record that has been utilized by the property owner and their tenants since the existing residential structure was built. Storm water runoff will be mitigated by two onsite underground structures and one small detention basin. The storm water mitigation plan will be reviewed at the preliminary plan stage. The applicant will be responsible for the operation and maintenance of the proposed storm water detention basins and underground structures. A Public Informational Meeting on this project was held on November 18, 2009. The applicant was not present at this meeting.

The 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”

authorizes the Planning Board to grant the requested relief if the proposed project meets the goals and objectives of the Lincoln Affordable Housing Production Plan, the Lincoln Comprehensive Plan, and RIGL 45-53 as amended. The proposed development is requesting four (4) waivers from the subdivision regulations and zoning ordinance at the Master Plan approval stage. The waivers are as follows: front yard setback, side yard setback, lot coverage, and a density waiver.

The Town of Lincoln received a master plan submission entitled, “Almeida Multi-Family 1685 Lonsdale Avenue, Lincoln, Rhode Island” sheets C-1.0 – C-4.0, Assessor’s Plat 6 Lot 26 prepared for Joseph Almeida, Jr. by Level Design Group dated February 2008 and last updated on October 01, 2009. Other documents prepared for the above applicant received were:

- “Comprehensive Permit Application - Multi-Unit Residential Redevelopment Application, 1683 – 1685 Lonsdale Avenue, Lincoln, RI, Assessor’s Plat 5 Lot 26 dated August 23, 2009 and prepared by Edward Pimental, AICP.**
- Letter from Level Design Group dated October 1, 2009 addressing e-mail correspondence from the Planning Department to LDG dated September 30, 2009.**
- Hydrologic and Hydraulic Analysis for AP 5 Lot 26, 1685 Lonsdale Avenue, Lincoln, Rhode Island dated September 30, 2009 and prepared by Level Design Group, LLC.**
- Letter from Rhode Island Housing dated July 10, 2009.**
- Letter from the Lonsdale Fire Department dated September 30, 2009.**

- **Letter from the Lincoln Water Commission dated November 25, 2009**

The Technical Review Committee reviewed the above proposed land development according to the 2005 Land Development and Subdivision Regulations preliminary plan requirements and standard engineering practices, 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 following items were noted.

Traffic/ Site Plan

The proposed development requires a Physical Alteration Permit (PAP) from the RI Department of Transportation (RIDOT) for the increase in the land use. This permit will be required as a condition of preliminary plan approval.

Utilities

According to the Lincoln Water Commission, public water is available to the project and the proposed system design submitted by the applicant is acceptable and has been given preliminary approval. A sewer connection permit is required by the Town as well as approval from the Narragansett Bay Commission and will be a condition of preliminary plan approval.

Storm Water Management

It appears that the site can accommodate the proposed storm water mitigation plan. This plan will have to be reviewed by the Town's engineer. The long term maintenance of the detention basins will be the responsibility of developer/owner of the land development project. The Town will not be responsible for maintenance of these private detention basins.

Integration of Affordable Units

According to RIGL 45-53 as amended and the Lincoln Comprehensive Plan, Lincoln Affordable Housing Production Plan, all low to moderate income housing units shall be integrated throughout the development. The low to moderate income housing units shall be compatible in size and architectural style to the market rate units within the project and will be built and occupied prior to, or simultaneous with the construction and occupancy of any market rate units.

Architectural rendering and proposed floor plans have been submitted by the developer. The TRC review these plans and determined that all six units will be built exactly the same in size and style. This project will contain only six units. The affordable units have been integrated within this site. It appears that the affordable units will be constructed and occupied at the same time the market rate units will be.

Public Informational Meeting

This project's public informational meeting was held on November 18, 2009. The applicant was not present at this meeting. Several abutting neighbors spoke to the project's design. One resident commented on safety and privacy concerns and requested that the applicant install a 6 foot white vinyl privacy fence along the shared property line. In addition to the fence, the residents also requested white pines trees to be planted in the existing berm running between the two properties. In addition to the resident's comments, some Planning Board members had concern regarding the density of the project. The applicant should

Based on the Master Plan submission and the TRC review, the Technical Review Committee recommends that the applicant address the above noted concerns and any additional concerns brought up by the Planning Board and return to the Planning Board in January. The TRC would like to point out to the Planning Board that the time frame will run out on January 13, 2010.

b. The Residences at Stone Creek AP 20 Lot 15 Preliminary Plan Land Development

- Break Hill Development, Inc. Breakneck Hill Rd Discussion / Approval

This application is to be reviewed under the 2005 Subdivision Regulations, 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”. On January 20, 2009, 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 preliminary 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 May 20, 2009, or within such further time as may be consented to by the applicant. In a letter dated December 7, 2009 and prepared by Attorney John S. DiBona, legal council for Break Hill Development, Inc., the applicant granted a time extension to March 31, 2010.

An unexpected turn of events has caused the applicant to reconfigure the layout of the development. The reconfigured project represents development of 61 residential condominium units including 16 affordable units for sale to age restricted residents of 55 years old and older. The private condominium complex will be made up of 13 duplex units and six (6) three unit buildings and four (4) four unit buildings with associated driveways and underground utilities. A total of 30 separate visitor parking areas have been proposed. The duplex units will be 1600 sqft with two bedrooms, 2 baths, and a 2 car garage. The three-unit buildings and four unit buildings will be 1200

sqft units with two bedrooms, 1 bath, and 1 car garage. The complex will be serviced by public sewer and water. The private looped roadway will be 1,920 linear feet long and 24 feet wide. The roadway will have asphalt curbing and four foot wide concrete sidewalks.

The development received several waivers from the subdivision regulations and zoning ordinance at the Master Plan approval stage.

The 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” authorizes the Planning Board to grant the requested relief if the proposed project meets the goals and objectives of the Lincoln Affordable Housing Production Plan, the Lincoln Comprehensive Plan, and RIGL 45-53 as amended.

The Town of Lincoln received a revised submission for The Residences at Stone Creek consisting of a set of plans entitled “Overall Site Plan – The residences at Stone Creek, Assessor’s Plat 20 Lot 15, Breakneck Hill Road, Lincoln, Rhode Island”, prepared for Break Hill Development, Inc. by Advanced Civil Design, Inc., Inc. dated December 7, 2009. The Technical Review Committee reviewed the above proposed overall site plan according to the 2005 Land Development and Subdivision Regulations preliminary plan requirements and standard engineering practices, 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 following items were noted.

Site Plan

The design of this project has evolved several times during the Planning Board’s Master Plan Review and the Preliminary Plan Review. The Planning Board must review this newly reconfigured site design and determine if this design is a significant change from the past designs reviewed by the Board. The Planning Board should also consider if this design should be presented for public review again. The TRC reviewed the new site plan and feel that the project does not represent a significant change form the past site designs. This design actually represents scaled down version of the past design. The length of the roadway and the number of storm water detention basins has been reduced. The TRC feels that the project should not have to be reviewed by the public. However, the TRC felt that a copy of the new site plan and a letter should be mailed to the abutters to explain the changes.

Ownership of all infrastructures in the proposed development will be held by a condominium association. The Town will not provide any municipal services such as trash removal, snow removal, or roadway improvements. The proposed private roadway width and type of curbing is not required to conform to the Town’s standards for a

public roadway. The road width, not including the berm, is 24 feet wide, not the 30 feet required in a conventional subdivision. The road width and layout must receive written approval for fire and rescue safety by the Lime Rock Fire District. The TRC has concerns about the cul-de-sac and island at the end of the roadway. This turn around should also be reviewed by the Lime Rock Fire District.

The TRC has concerns about the viability of units 24 and 25. The concern is their location between two wetlands and the possibility of flooding. This building will have to be reviewed by the Town's engineers. The list of waivers from the subdivision regulations and zoning ordinance granted at the Master Plan approval stage should be updated to reflect the newly reconfigured project. The TRC would like to see how the developer will landscape the entrance of this development. When Breakneck Hill Road was resurfaced, several stone walls were installed to reflect the historic and scenic nature of the roadway. The TRC would like ensure that the entrance will be compatible with the roadway. This landscape design should be included and reviewed by the RIDOT as a part of the PAP.

Utilities

The water system received preliminary approval from the Lincoln Water Commission per a letter dated June 5, 2008. This approval must be updated as it is only good for one year. Utility excavation permits will be required from RIDOT for both sewer and water line work in and along Breakneck Hill Road which is a State road. The low pressure forcemain sanitary sewers are proposed to be provided to

the development. The forcemain is proposed to be connected to the Town's existing gravity sewer on Breakneck Hill Road that flows to a pump station in Butterfly Estates. The development's sanitary sewer system, both onsite and down Breakneck Hill Road, will be the responsibility of the developer to construct, own, operate and maintain, not the responsibility of the Town of Lincoln. A sewer connection permit is required by the Town as well as approval from the Narragansett Bay Commission. Approval for the line in the state highway Right-of-Way must be obtained from RIDOT.

The Public Works Department requires that the existing pump station be upgraded to accommodate the increased flows. The development is estimated to double the flow to the existing pumping station on East Butterfly Road, which cannot accommodate the increased flows.

The resizing of the pumps, wet well and modification of other appurtenances will need to be reviewed and approved by the sewer supervisor. The existing pump station at Butterfly Estates must be upgraded prior to any construction at the site. The developer has been in discussion with the YMCA to coordinate and share the costs of trench excavation and the upgrade. Whether or not this is coordinated is the developer's concern. The Town requires the pump station to be rebuilt in order to accommodate the flows from the project as a condition of approval.

Storm Water Management

The development requires a permit from RIDEM Wetlands as a condition of preliminary approval. Drainage is a critical concern. The

site has considerable wetlands and shallow seasonal high groundwater. The drainage design includes one underground and one aboveground detention basins designed to mitigate degradation of water quality and quantity from storm water runoff. An updated drainage report will be needed in order to determine whether the newly reconfigured drainage design is appropriate. The drainage plan and report must be reviewed again to ensure the proposed design will work correctly.

The long term maintenance of the detention basins will be the responsibility of developer/owner of the land development project initially, and ultimately the homeowners' association. The Town will not be responsible for maintenance of the detention basins or any of the infrastructures associated with the development.

Traffic

As stated previously, the proposed development requires a Physical Alteration Permit (PAP) from the RI Department of Transportation (RIDOT) for vehicular access to Breakneck Hill Road and for the drainage culverts under the State road. The traffic report submitted concluded that the impact would be insignificant and will not conflict with the activities at the YMCA across the street.

Based on the Preliminary Plan submission and TRC review, the Technical Review Committee feels that the applicant should address the concerns presented above and return to the Planning Board in January for further review. A full Preliminary Plan submission should

be submitted as soon as possible to the Town.

Major Land Development Review

**a. Stone Way Subdivision AP 23 Lot 91 Master Plan Discussion /
- Crescent Properties, Inc. Dexter Rock Road Approval**

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into three residential lots. The proposed lots will be accessed from a new 248 foot long cul-de-sac roadway. The proposal of a roadway has elevated this project from a minor subdivision to a major subdivision. Public sewer and water will service the lots. The subject project is located in zoning district RA-40 (40,000 square feet – Residential Single Family). This project is requesting two subdivision waivers. All waivers apply to Lot number 2. This lot will require an interior angle greater than two hundred (200) degrees subdivision waiver and a 2 1/2: 1 ratio of the average lot depth to average lot width subdivision waiver. On December 9, 2009, 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 April 8, 2010, or within such further time as may be consented to by the applicant.

The Technical Review Committee reviewed the proposed development according to the Land Development and Subdivision Regulations master plan submission requirements. The submission includes a set of plans entitled “Stone Way – Master Subdivision” dated November 13, 2009, prepared for Crescent Properties Inc. by Level Design Group. Below are the TRC’s comments.

Utility Service

A plan shows that the applicant proposes public water and sewers connections via existing lines in Dexter Rock Road. Preliminary approval from LWC must be a condition of approval for the land development. Any submission for water service has to be reviewed and approved by the Lincoln Water Commission prior to construction. The proposed utility design will have to be reviewed by the Town’s engineers.

Sanitary Sewers

It is proposed to connect the three lot subdivision to the public sewers via a new gravity sewer line to an existing gravity line in Dexter Rock Road. A sewer connection permit is required by the Town as well as approval from the Narragansett Bay Commission. The proposed sanitary sewer design will have to be reviewed by the Town’s sewer supervisor and engineers.

Drainage/ Wetlands

The plan shows onsite storm water mitigation structures on Lot

number 1 along Dexter Rock Road. The plans show a utility easement. The proposed onsite storm water mitigation design will have to be reviewed by the Town's engineers at the preliminary plan stage. The Town's former engineer did review the proposed design and stated that it did meet the requirements of the Town subdivision regulations and standard engineering practices. Therefore, the TRC feels that the proposed design is acceptable for master plan level. The drainage calculation and report should be submitted as soon as possible for Town review.

Traffic/ Site Plan

The proposed public right-of-way onto Dexter Rock Road was reviewed by the Town's former engineer and found to have acceptable sight distance for the number of house lots proposed. The proposed public rights-of-way details will have to be reviewed by the town's engineers.

Project Waivers

As stated above, this project is requesting two subdivision waivers. All waivers apply to Lot number 2. This lot will require an interior angle greater than two hundred (200) degrees subdivision waiver and a 2 1/2: 1 ratio of the average lot depth to average lot width subdivision waiver. The TRC reviewed these waiver and recommends approval of these waivers. The existing lot has a very challenging topography and an odd shape. The two waivers are a result of these features and our subdivision regulations.

Based on the Master Plan submission, the Technical Review Committee feels that all of the concerns noted above can be addressed by the applicant during a later stage of the review process.

If the Planning Board agrees with the TRC's recommendation of approval of the two subdivision waivers, the TRC recommends that the applicant come back next month for a public informational hearing. An updated abutters list will be needed as soon as possible.

Zoning Applications (*) – January's Zoning Applications

Bala & Jayne Sundaram, 16 Harris Avenue, Lincoln, RI – Application for Dimensional Variance seeking front and side yard setbacks for the construction of an addition.

AP 27, Lot 34 Zoned: R 40

Continued from March 3, 2009 meeting

Members of the Technical Review Committee visited the site and reviewed the updated plan and the current zoning application. The Technical Review Committee recommends Denial of the application for dimensional variances. The Technical Review Committee feels that the application still does not meet any of the standards for relief of a dimensional variance as presented in the Zoning Ordinance. More specifically, the Technical Review Committee feels that based on the information supplied to date, the application does not represent the least relief necessary and is not due to the unique

characteristics of the subject land. The Committee feels that the applicant should have designed the proposed addition within the Zoning regulations. The information submitted did not contain a narrative or a proposed floor plan to support the need for the stated relief. The TRC would also like to bring to the attention of the Zoning Board that there is a running stream in the backyard of this property. The buffer zone associated with this stream may make the proposed addition not feasible. The application does not make any representations they the applicant has consulted with the Rhode Island Department of Environmental Management. The Technical Review Committee feels that the dimensional variance will impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Great Road Realty LLC, 571 Middle Road, Colchester, VT – Application for Extension of Decision rendered by the Zoning Board for a Dimensional Variance pending planning approval.

AP 23, Lot 51 Zoned: RS-20

Members of the Technical Review Committee reviewed the submitted application for extension of a decision rendered on November 6, 2008. The Technical Review Committee recommends Approval of the time extension. According to §260-71 of the Zoning Ordinance, the Zoning Board may, upon written request of the applicant, for good cause shown, extend the decision of the applicant for a period not to exceed six months.

Kurt Badynski and Karen Cotter, 154 Chestnut Street, Manville, Rhode Island – Application for Dimensional Variance requesting front yard relief for the construction of an addition.

AP 35, Lot 39 Zoned: RL-0

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The proposed dimensional variance is to clear up a pre-existing nonconformance of this parcel of land. This record lot was platted 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. However, the TRC has a concern about lot coverage. The TRC noticed a garage and in ground pool on the property. These structures count in the calculation of lot coverage. The submitted plan should have shown the garage and pool so a calculation could have been checked against our regulations. The TRC feels that the property is below the stated lot coverage limit but would have like to check this measurement.

Correspondence/Miscellaneous (*)

a. Staff Reports

b. Nationwide Health Properties AP 41 Lots 74 and 54 Administrative Subdivision Recorded

c. Paddock Drive Subdivision AP 42 Lot 228 Final Plan Recorded