

LINCOLN PLANNING BOARD

FEBRUARY 24, 2010

APPROVED

The regular meeting of the Planning Board was held on Wednesday, February 24, 2010, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Olean called the meeting to order at 7:03 p.m. The following members were present: Gerald Olean, Timothy Griffin, Kenneth Bostic, Michael Reilly, John Hunt and Greg Mercurio Jr. Also in attendance were Town Planner Albert Ranaldi, and Joelle Sylvia for the Town Solicitor. Russell Hervieux kept the minutes.

The following member was absent from this meeting: Wilfred Ordonez.

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

CONSENT AGENDA

Chairman Olean reminded members that the consent agenda has 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 Reilly. Motion was approved by all members present.

COMPREHENSIVE PERMIT

a. Almeida Multi-Family AP 5 Lot 26 Public Hearing – 7:00 PM

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

Chairman Olean called the Public Hearing to order at 7:05 pm. Roll call of the abutters list was read by the recording secretary. There were two responses to the reading of the abutters list. Chairman Olean called for any other abutters in the audience whose name was not read to be recognized. No responses were given.

Mr. Ranaldi stated this application is currently before the Board at preliminary plan stage for a public hearing. This application received a certificate of completeness and the Board has until June 17, 2010 to make a decision. The application is for a six unit residential apartment building. The applicant has requested some waivers to move the building forward to be consistent with the surrounding area.

A concern that came out at master plan was the easement for access. Attorney Shekarchi has provided the Town with that document and the Town Solicitor has reviewed it. The Solicitor has stated that the easement is acceptable. The plan hasn't really

changed from master plan and the engineer has supplied the engineering information on the infrastructure. The information has been reviewed along with the integration of the affordable units. Notwithstanding any issues being brought out at the public hearing, the TRC recommends approval of preliminary plan with conditions. There are seven conditions listed in the TRC report but the easement condition has been taken care of. The remaining conditions are as follows:

1. The applicant will be responsible for the operation and maintenance of the proposed storm water detention basins and underground structures. The Town is requiring that this responsibility be added to the property deed. The proposed deed language must be reviewed and approved by the Town as a condition of preliminary plan approval.
2. The applicant must receive a Physical Alteration Permit from RIDOT for the increase in land use.
3. The applicant must receive a sewer connection permit from the Town for the connection.
4. A sewer connection permit from Narragansett Bay Commission is required.
5. The applicant record the final site plan showing the proposed building, parking area and storm water detention basins, above and below ground. All conditions of approval must also be listed on the final site plan.
6. The applicant record the income deed restrictions for two units at the same time the final site plan is recorded.

Therefore, the TRC recommends approval with these conditions.

John Shekarchi, attorney for the applicant, made a brief presentation to the Board. Mr. Shekarchi stated that his client has read the conditions of the TRC and is happy to follow them. Mr. Shekarchi introduced Mr. Daniel Campbell, engineer on this project, to give a brief overview of the engineering.

Daniel Campbell, engineer for the applicant, made a brief presentation to the Board. Mr. Campbell stated that this application is for a six unit complex. The applicant is requesting waivers for front yard and side yard setback to conform to the layout of the buildings in the area. The parking is placed in the rear of the site along with visitor parking, dumpster and drainage. Electric and water service will be from Lonsdale Avenue and the sewer discharge will be in the rear of the property. A six foot high white privacy fence has been added along the property line to the north as well as eight evergreen trees. There will be no net drainage runoff from this site. The addition of the fence and evergreen trees were a result of public comments at the master plan level.

Chairman Olean opened up the meeting to comments from the public. No members of the public came forward.

Motion was made by member Hunt to close the public hearing at 7:13 pm was seconded by member Bostic. Motion was approved by all

members present.

Motion was made by member Griffin to approve the preliminary plan application for Joseph Almeida for property located at Assessor's Plat 5 Lot 26 with conditions.

The Board has reviewed the document, presented by the TRC and Town Planner entitled "Proposed Findings" and adopts the document in its entirety. These findings were based on submitted plans and other documentation, testimony of the experts throughout the various Planning Board meetings on this application, and staff/Technical Review Committee (TRC) and Zoning Board recommendations and reports and are summarized as follows:

- 1. The proposed development is consistent with local needs as identified in the local plans for affordable housing and development and has satisfactorily addressed the issues where there may be inconsistencies.**
- 2. The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance and subdivision regulations, and the relief granted by the waivers requested does not outweigh the state and local need for low and moderate income housing.**
- 3. All low and moderate income housing units proposed are integrated throughout the development; are compatible in size and architectural style to the market rate units within the project; and will**

be build and occupied prior to, or simultaneous with the construction and occupancy of any market rate units.

4. As shown at Preliminary plan, there will be no significant environmental impacts from the proposed development, but the Board will continue to review details of the application in order to support this finding at the later stages of approval.

5. At Preliminary plan it appears that there will be no significant negative impacts on the health and safety of current or future residents of the community but the Board will continue to review details of the application in order to support this finding at the later stages of approval.

6. The Board finds that the proposed development will have adequate and permanent physical access to a public street based on the review of the existing easement documents referenced on the plans.

7. The proposed development will not result in the creation of individual lots.

Conditions of approval:

1. The applicant will be responsible for the operation and maintenance of the proposed storm water detention basins and underground structures.

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

3. A sewer connection permit is required by the Town. This permit

will be required as a condition of preliminary plan approval.

4. A sewer connection permit is required from the Narragansett Bay Commission. This permit will be required as a condition of preliminary plan approval.

5. The applicant develops and records the final site plan showing the proposed building, parking area, and underground storm water detention basins and be recorded in the land evidence files. This plan shall be developed in accordance to the requirements of our final plan check list.

6. The applicant develops and records the low to moderate income deed restrictions for two units at the same time that the site plan is recorded.

The motion was seconded by member Hunt. Motion was approved by all members present.

**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 the applicant is still working on some details. The applicant has submitted a letter requesting an extension of time and gave the Board until May 28, 2010 for a decision on preliminary plan stage. Member Mercurio inquired as to what elements are still being worked on. Mr. Ranaldi replied that the sewer pump station design is still being worked on. Chairman Olean confirmed that the

time for the Board to make a decision is May 28, 2010 and has been done properly. Ms. Sylvia stated that was correct. Chairman Olean asked Mr. Ranaldi to explain how an extension works for the public knowledge. Mr. Ranaldi explained that the Board has 120 days, according to State law, to make a decision on the preliminary plan review. Within that time period, if the Board or the applicant requests, the applicant can extend that time period. The applicant requested to extend that time until March 31, 2010 and again today they request to further extend it to May 28, 2010. Mr. Ranaldi also stated that he knows this applicant is planning on coming back to the Board at the April meeting.

RECOMMENDATION TO TOWN COUNCIL

a. 2010 Community Development Block Grant Application (CDBG) Review/Discuss/Approve

Mr. Ranaldi stated that each year the Town puts forward to the State a recommended list of projects for the CDBG. These projects revolve around low to moderate income houses, families and areas with the Town. This application has ten proposed projects which the Town can apply for up to \$400,000 worth of projects. Usually the State will decide which and how much is appropriate. This application projects consist of the following:

1. Housing Rehabilitation for \$75,000.

- 2. Housing Operating costs for \$45,000.**
- 3. Manville Sidewalks for \$49,000. This is a continuation of a previous project.**
- 4. Family Literacy Center for \$34,000.**
- 5. Manville Memorial Park for \$100,000.**
- 6. Lincoln Housing Authority for \$47,705.50. This is a sub-recipient application.**
- 7. Spurwink School for \$25,862. This is a sub-recipient application.**
- 8. Boys & Girls Club of Cumberland/Lincoln for \$10,000. This is a sub-recipient application.**
- 9. Blackstone Valley Advocacy Center for \$7,050. This is a sub-recipient application.**
- 10. Community Housing Land Trust for \$3,000. This is a sub-recipient application.**

The Town sends out a notice to local non-profits and asks if they would like to participate with the Town on these grants. Though the State wanted the Town to show some foreclosure mitigation on its application, none of the grant requests apply to foreclosures. Lincoln does not have a significant foreclosure problem.

Motion made by member Griffin to accept the TRC recommendations of an approval of the CDBG application for 2010 with the ten projects. This motion was seconded by member Reilly. Motion was approved by members Griffin, Reilly, Hunt, Bostic and Mercurio. Chairman Olean abstained from voting because he is an employee of Lincoln

Housing Authority.

SECRETARY'S REPORT

The Board was given one set of minutes to review. They are for January 27, 2010. The Town Planner Al Ranaldi stated that he did not have a chance to review these minutes.

Motion made by member Reilly to dispense with the reading of the January 27, 2010 minutes was seconded by member Griffin. Motion was approved by all members present.

Motion made by member Griffin to accept as presented the minutes of the January 27, 2010 was seconded by member Bostic. Motion was approved by all members present.

Grow Smart Rhode Island will be offering some classes on making decisions in the near future. If any Board members are interested in attending they are to contact Town Planner Al Ranaldi. The Town will pay for these classes.

Motion was made by member Reilly to adjourn was seconded by member Hunt at 7:26 pm. Motion was approved by all members present.

Respectfully submitted,

Russell Hervieux