

# **LINCOLN PLANNING BOARD**

**JUNE 23, 2010**

**APPROVED**

**The regular meeting of the Planning Board was held on Wednesday, June 23, 2010, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.**

**Chairman Olean called the meeting to order at 7:00 p.m. The following members were present: Gerald Olean, Kenneth Bostic, John Hunt, Timothy Griffin, Michael Reilly and Jeffrey Delgrande. Also in attendance were Town Planner Albert Ranaldi, Town Engineer James Bernardino 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 eight zoning applications, one final plan recording 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 Hunt. Motion was approved by all members present.**

## **MAJOR SUBDIVISION REVIEW**

**a. Magendantz & Dale Sub. AP 27 Lots 80 & 81 Public Hearing- 7:00 PM**

**Henry Magendantz Old Louisquisset Pike Preliminary Plan  
Discussion/Approval**

**Chairman Olean called the Public Hearing to order at 7:02 pm. Roll call of the abutters list was read by the recording secretary. There were no 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 that this application is under the 2005 subdivision regulations. This subdivision is actually an administrative subdivision of two residential lots but requires zoning relief which elevates the application to a major subdivision. The proposal is to move 1.4 acres from lot #81 to the owners of lot #80. This application received master plan approval with conditions on May 26, 2010. The applicant received the dimensional variances from the Zoning Board**

on June 1, 2010. This Board allowed the applicant to advance to a preliminary plan public hearing tonight. The TRC has reviewed the plans and all of the concerns have been addressed. Barring any issues brought out at the public hearing, the TRC recommends preliminary plan approval.

Vanessa Varone, attorney for the applicant, made a brief presentation. Ms. Varone stated that the applicant is here tonight at the step of approval. These two neighbors would like to swap some land. All of the requirements have been met so the applicant would request that the Board grant approval on their application. The applicant has a copy of the Final Plan requirements.

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 7:06 pm was seconded by member Reilly. Motion was approved by all members present.

Motion made by member Griffin to grant preliminary plan approval and delegate Final Plan approval to the Administrative Officer was seconded by member Delgrande. Motion was approved by all members present.

## **MAJOR LAND DEVELOPMENT REVIEW**

**a. RJB Properties – Bldg #3 AP 31 Lot 12                      Public Hearing – 7:00**

**PM**

**RJB Properties 640 George Washington Hwy. Preliminary Plan  
Discussion/Approval**

**Chairman Olean called the Public Hearing to order at 7:07 pm. Roll call of the abutters list was read by the recording secretary. There were no 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 that this application is at preliminary plan, Public Hearing stage. This application is under the 2005 subdivision regulations. This application represents the development of a commercial lot with a new two story office building with associated parking. The new building will be serviced by public sewer and water.**

**The project received master plan approval with conditions on September 23, 2009. This lot also had a previous proposal to build a hotel on the front section which is still on the table. The Board has until September 16, 2010 to make a decision on preliminary plan. The applicant and the Town Engineer are working together to clear up any concerns but the plans were not finalized in time for the TRC meeting.**

**The TRC did feel that most of the concerns have been addressed and any further concerns would be minor detail oriented. One of the major concerns with this project was the off site improvements to the intersection of Blackstone Valley Place and George Washington Highway. The TRC recommends that the applicant continue this**

application to the July meeting since the Town Engineer has not had enough time to do a full review of the plans.

Scott Lindgren, engineer for the applicant, made a presentation to the Board. Mr. Lindgren stated he has the traffic engineer at tonight's meeting in case any questions arise at the public hearing. This project is for a new office building located on Assessor's Plat 31 Lot 12 at 640 George Washington Highway. The lot currently has an existing office building centrally located on the lot. This application is for a 30,000 gross square foot office development with a footprint of about 15,000 square feet. The building will be two stories located north of the existing office building. The parking will have to be reoriented for the existing building as well as the new. The parking requirements have been reanalyzed based on zoning. The two office buildings together would require 220 parking spaces and the proposal provides for 229. The latest proposal has protected the 25' buffer around the cemetery. There was another proposal for this lot which was to locate a hotel on the south end of this lot. An overall layout of the site showing full build out has been provided to the Board as an exhibit. The hotel project is on hold waiting for better economic times. This new office building is a viable project which is on the fast track with hopes of starting construction shortly. There is an existing sewer easement that exists on this property for the neighboring National Grid property. This easement has been recorded in the land evidence records at Book 506 Page 146. The new building and the existing building will be serviced by two new

public water services. Lincoln Water Commission has requested that all buildings have their own water service which has been accomplished in this plan. Electric and gas are already on site and can be utilized for this project. The applicant is proposing three storm water detention areas for the drainage. These basins will be designed to RIDEM storm water regulations 2009-2010. This project will be required to make the off site improvements to the intersection of Blackstone Valley Place and George Washington Highway for traffic mitigation. The application for a Physical Alteration Permit with RIDOT has been submitted for a period of time. The application is being processed and appears to be going for approval. The applicant has addressed all the comments from the TRC and has been working with the Town Engineer to finalize his concerns.

Ralph Branca, developer and owner of this project, made a presentation to the Board. Mr. Branca stated he would like to start the construction of this building sooner rather than later. The goal is to get the building closed in before the heavy winter sets in. Mr. Branca asked the Board to approve this project tonight subject to resolving these minor issues remaining with the TRC. The parking areas have already been started and the building needs to be started soon to meet the goal.

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 7:26 pm was seconded

**by member Bostic. Motion was approved by all members present.**

**Member Hunt questioned Mr. Branca whether he had clients already lined up to lease this new building. Mr. Branca replied that he does have a couple of tenants ready to lease some of the new building. Chairman Olean expressed his concern about giving a decision tonight as the Town Engineer has not completed his review of the plans. James Bernardino, Town Engineer, stated that he has received the plans and they appear to address the major concerns. A thorough review has not been completed but the major concerns with the cemetery offsets and modification to the layout have been addressed. The rest of Mr. Bernardino's concerns are minor in nature and is confident the applicant's engineer has addressed them. The only other major concern is the Physical Alteration Permit which needs to be approved prior to any occupancy of the building. Mr. Branca stated that he understood that not all approvals have been received yet but they are well on their way. Mr. Branca also stated that he understands that if this Board approves the preliminary plan tonight he would be proceeding at his own risk.**

**Chairman Olean asked for a legal opinion as to whether the Board could make a decision tonight. Ms. Sylvia responded that the Board could approve with conditions that require the completed approvals and permits be acquired before final plan. The owner has stated on the record that he would be proceeding at his own risk with this approval if granted. Mr. Ranaldi explained what the conditions would**

**need to be for the Board. Member Reilly questioned whether delaying this decision one month would be detrimental to this project. Mr. Branca responded that contractors are lined up ready to go. This building is constructed mostly of masonry products which can not be installed in below freezing temperatures. Therefore, to get to that point, the building would need to be started within the next two weeks. Some further discussions took place over the time line of building this project.**

**Motion made by member Hunt to approve preliminary plan with conditions that applicant address the concerns in the TRC report, the concerns in the Town Engineer's memo of May 17, 2010, and the Town Engineer's comments and acquire the Physical Alteration Permit before final plan. The Board would also like periodic reports of the status of this project. The motion was seconded by member Griffin. Motion was approved by all members present.**

## **MAJOR SUBDIVISION REVIEW**

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

**Mr. Ranaldi stated that this is a major subdivision at preliminary plan stage. This application is under the 2005 subdivision regulations and represents the subdivision of one lot into three residential lots. This project has a new road proposed, approximately 248 feet long, and**

has had some waivers approved at master plan. The applicant granted this Board an extension of time until tonight to make a decision on preliminary plan. The public hearing brought out no comments from the public. The TRC along with Town Engineering reviewed the project and found one concern. The Town Solicitor reviewed the easements and had a concern about one easement which could be made as a condition of approval. The TRC recommends approval of preliminary plan with six conditions. The conditions are as follows: 1.) A sewer connection permit is required from the Town. 2.) A Narragansett Bay Commission permit is required. 3.) A RIPDES general permit submission to RIDEM is required. 4.) A soil erosion and sediment control plan is required. 5.) The existing easement located along Lot 201 and measuring 150.36 feet long by 15 feet wide must be extinguished prior to Final Plan approval and acceptance of the public roadway. 6.) The Town Solicitor review and accepts the proposed drainage easement deed language as presented by the applicant. In addition to the recommended approval the Town Engineer has worked out the calculations for a remediation bond which is \$16,000. Cash bond.

Charles Belshe, applicant for this project, made a brief presentation to the Board. Mr. Belshe requested that the Board approve the preliminary plan tonight. Chairman Olean asked the applicant if he is in agreement with the TRC report including the six conditions. Mr. Belshe responded that he agrees with the report and conditions and feels the cash bond requested is reasonable.

**Motion made by member Bostic to accept the TRC recommendations of preliminary plan approval with six (6) conditions as amended tonight was seconded by member Griffin. Motion was approved by all members present.**

**Motion made by member Griffin to set the remediation bond at \$16,000 cash was seconded by member Hunt. Motion was approved by all members present.**

## **MAJOR LAND DEVELOPMENT REVIEW**

**b. MacColl Field YMCA AP 25 Lots 58,68,69,71 Preliminary Plan  
YMCA of Pawtucket, Inc. Breakneck Hill Road Discussion/Approval**

**Mr. Ranaldi stated that this application is under the 2005 subdivision regulations for a land development project. The project represents a new 40,000 square foot recreational building with associated parking. The proposal tonight is for this project to be serviced by public water and a private force main sewer. A Use Variance was granted from the Zoning Board for this project on December 1, 2009. The Board has until October 13, 2010 to make a decision on preliminary plan. The Town Engineer and the TRC reviewed this application. There were minor engineering concerns that can be addressed. However, this project has not received a letter from RIDOT authorizing the installation of a private force main in a public road. Other than the**

**sanitary sewer connection, this project is well on the way to approval.**

**The TRC did not recommend moving forward because of the lack of approval for sanitary sewer connection. It is not known when RIDOT when or if they will issue that authorization letter.**

**Bob Cioffi, executive director of the Lincoln YMCA, made a brief presentation to the Board. Mr. Cioffi stated that most of the TRC concerns have been addressed with the exception of the letter from RIDOT. The applicant is still working with the State to acquire that authorization from RIDOT. Chairman Olean expressed his concern with approving preliminary plan without an approval for a sewer connection. Mr. Cioffi stated that there is no backup plan if this sewer connection is not approved. Member Delgrande asked what the YMCA is using for sewer currently. Mr. Cioffi replied that the YMCA has an ISDS but is not nearly enough to handle the new facility.**

**Dana Newbrook, architect for the applicant, made a brief presentation to the Board. Mr. Newbrook stated that the sewers currently on site are septic systems which RIDEM wants the YMCA to eliminate. A force main system is the only option for this site. Mr. Newbrook agrees that this Board can not approve a building that does not have a sewer connection. Therefore, this applicant is not asking for an approval at tonight's meeting.**

**SECRETARY'S REPORT**

**The Board was given one set of minutes to review. They are for May 26, 2010. The Town Planner Al Ranaldi stated that he has reviewed these minutes.**

**Motion made by member Griffin to dispense with the reading of the May 26, 2010 minutes and approve as presented was seconded by member Delgrande. Motion was approved by all members present.**

**Mr. Ranaldi stated that in the next month or two the Board will have to review a proposed zoning amendment for Historic District zoning along Great Road. This will be a tool that this Board and the Town could use. This district will cover Great Road from Front Street to Breakneck Hill Road.**

**Motion was made by member Delgrande to adjourn was seconded by member Hunt at 8:13 pm. Motion was approved by all members present.**

**Respectfully submitted,**

**Russell Hervieux**