

LINCOLN PLANNING BOARD

OCTOBER 27, 2010

APPROVED

The regular meeting of the Planning Board was held on Wednesday, October 27, 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, Timothy Griffin, Michael Reilly and Jeffrey Delgrande. Also in attendance were Town Planner Albert Ranaldi and Town Solicitor Anthony DeSisto. Russell Hervieux kept the minutes.

The following members were absent from this meeting: John Hunt and Wilfred Ordonez.

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

CONSENT AGENDA

There were no items on the consent agenda to present.

MAJOR SUBDIVISION REVIEW

a. Morin/Lenartowicz Subdivision AP 25 Lots 32 & 53

Public

Hearing -

Richard Morin/Walter Lenartowicz 1793 Old Louisquisset Pike 7:00

PM

& 2 Ledge Road 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 a preliminary plan submission at a public hearing stage. This application is under the 2005 subdivision regulations. The application represents an administrative subdivision between two residential lots. Lot #53 had some pre-existing nonconformities by dimension which received a dimensional variance to clear up that issue. The zoning variance requirement bumped this administrative subdivision to a major subdivision. The applicant received a certificate of completeness on October 20, 2010 and the Board has until February 17, 2011 to make a decision. One property owner would like to sell approximately 14,675 square feet of land to the neighboring owner. Both lots will still meet zoning standards for lot area. The only zoning nonconformance is the house on lot #53 which is pre-existing and not caused by the

movement of the lot line. The TRC reviewed the application and barring any unforeseen concerns from the public, we recommend preliminary plan approval. The TRC also recommends that the Board delegate final plan approval to the administrative officer.

Richard Dursin, associate with Andrews Surveying and Engineering, spoke for the applicant. Mr. Dursin stated that since the last meeting the applicant has received the dimensional variances for the house on lot #53. The plan calls for moving the western property line further west by approximately 118 feet. The existing garage on lot #53 would now be on lot #32. The proposed lot line change is not causing any zoning violations or nonconformances. This plan will not create any new lots.

Chairman Olean opened up the meeting to comments from the public. No members of the public came forward. Motion was made by member Reilly to close the public hearing at 7:08 pm was seconded by member Bostic. Motion was approved by all members present.

Motion made by member Griffin to accept the TRC recommendations to grant preliminary plan approval was seconded by member Reilly. Motion was approved by all members present.

Motion made by member Reilly to delegate final plan approval to the administrative officer was seconded by member Griffin. Motion was

approved by all members present.

ZONING ORDINANCE AMENDMENT

a. Recommendation to Town Council

Town Planner Al Ranaldi passed out a letter dated October 18, 2010 from the Friends of Hearthside, Inc. to the Board. Mr. Ranaldi stated that this recommendation is for a zoning ordinance amendment. According to section 20-342 of the Town of Lincoln code of ordinances the Planning Board must study and offer recommendations to the Town Council for all zone changes and amendments. The findings must include a statement of the general consistency of the proposal with the comprehensive plan of the Town including the goals of policy statements, the implementation program and all other applicable elements of the comprehensive plan.

Mr. Ranaldi stated that this proposal is for an overlay district. This means that the underlying zoning districts, which are mostly residential, will remain. This overlay would be an extra zoning technique on top of the base district. The proposal represents historic district zoning. The Board received a copy of the ordinance amendment in their packets. This ordinance would establish a Historic District Commission. This commission would have authority set forth in that ordinance. The Commission would have authorization to regulate all exterior functions of remodeling or

construction of the houses in that zone. The plan submitted to the Board has the outline of the proposed district area. There is a great range of houses within that area from houses built in the 1600's to a house built several months ago. The TRC really wrestled with this fact and had several good discussions. Many points were brought out by the TRC members and ultimately came to the following recommendation. This ordinance is consistent with the comprehensive plan in the natural resources and cultural resources element. There have been countless studies of the historic significance of Great Road. There is a national register of historic places of this area however that only applies if a property is going to be using federal funding. Currently, homeowners of any age or historically significant house can make whatever modifications they choose. This ordinance would have the people step back and have their application for any exterior modifications to this house be reviewed. These types of commissions in other communities are made up of people that are educated in keeping the historic significance of properties. These commissions can act as educators to homeowners as to the alternatives they have to preserve the historic nature of their property. Therefore, the TRC recommended that it is consistent with the comprehensive plan however they felt that there are a considerable amount of newer houses that this ordinance could put a burden on those homeowners. The TRC recommends that the ordinance be put forth to the Town Council for further study. A public neighborhood meeting was held in which all involved properties were notified by mail. It was very difficult to

judge whether the property owners were for this ordinance or against it.

Member Delgrande questioned how far this ordinance will reach. Does it involve all exterior renovations including landscaping? Mr. Ranaldi responded that he believes that minor landscaping would not be included but major landscaping including adding things like structures or fountains would be included. All work that requires a building permit would have to be reviewed and also much work that does not require a permit would have to be reviewed. Town Solicitor Anthony DeSisto stated that generally speaking all exterior modifications of a structure are included in a historic review. The Historic District, once it is formed, would create their rules and regulations which could include landscaping under the review process. This ordinance does not set the rules and regulations it only creates the overlay district and the commission. Member Delgrande questioned what authority the Historic District Commission would have. Mr. Ranaldi responded that they would have the same type of authority that the Planning Board has. Some discussions took place as to what the procedures would be for projects that include planning or zoning in the historic district. Solicitor DeSisto pointed out to the Board that their function here is to make a recommendation to the Town Council whether or not this ordinance update complies with the comprehensive plan.

Motion made by member Bostic to accept the TRC

recommendations, that the Administrative Officer draft a letter to the Town Council finding that the zoning ordinance update conforms to the comprehensive plan was seconded by member Griffin. Motion was approved by all members present.

SECRETARY'S REPORT

The Board was given one set of minutes to review. They are for September 22, 2010. The Town Planner Al Ranaldi stated that he has reviewed these minutes.

Motion made by member Reilly to dispense with the reading of the September 22, 2010 minutes was seconded by member Griffin. Motion was approved by all members present.

Motion made by member Griffin to accept the September 22, 2010 minutes as presented was seconded by member Bostic. Motion was approved by all members present.

Town Planner Al Ranaldi mentioned to the Board that there are no applications for the November Planning Board meeting. Chairman Olean cancelled the November 2010 Planning Board meeting for the lack of business.

Chairman Olean mentioned that member Delgrande will be the representative for the Planning Board at the TRC meetings replacing

member Griffin.

Mr. Ranaldi invited all Board members to the grand opening of the new senior center to be held on November 20, 2010.

Motion was made by member Griffin to adjourn was seconded by member Reilly at 7:45 pm. Motion was approved by all members present.

Respectfully submitted,

Russell Hervieux