

# **LINCOLN PLANNING BOARD**

**JULY 24, 2013**

**APPROVED**

**The regular meeting of the Planning Board was held on Wednesday, July 24, 2013, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.**

**Vice Chairman Reilly called the meeting to order at 7:00 p.m. The following members were present: Gerald Olean, Michael Reilly, Jeffrey Delgrande, and William Murphy. Also in attendance were Town Planner Al Ranaldi, Town Solicitor Anthony DeSisto and Town Engineer Leslie Quish. Russell Hervieux kept the minutes.**

**The following members were absent from this meeting: Kenneth Bostic, John Hunt and Timothy Griffin. Members Hunt, Bostic and Griffin called the Chairman and were excused.**

**Vice Chairman Reilly advised that four members were present; have quorum.**

## **CONSENT AGENDA**

**Vice Chairman Reilly reminded members that the consent agenda has one zoning application 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 Olean to accept the consent agenda as presented was seconded by member Delgrande. Motion was approved by all members present.**

## **MAJOR LAND DEVELOPMENT REVIEW**

- a. 90 Industrial Circle AP 2 Lot 82 Master Plan Extension  
A.F. Homes, LLC Walker Street & Discussion/Approval  
Industrial Circle**

**Mr. Ranaldi stated that this application has a long history with the Board. The applicant received a court ordered approval and has gotten several extensions of that approval. The applicant has submitted for a preliminary plan review and could receive a certificate of completeness. However, when the Town Engineer reviewed the plan she had three pages of minor concerns. The plan should be of good quality before it comes before this Board. Therefore Mr. Ranaldi asked the applicant's attorney to apply for a master plan extension to give them time to submit a better preliminary plan. Member Olean asked when the next Board meeting is to be held. Mr. Ranaldi responded that August 28, 2013 will be the next meeting. Member Olean asked if the applicant if they were willing to extend the deadline for a decision until the August 28, 2013 meeting. He felt there are extensive issues with this project and not enough Board members**

are in attendance tonight. The applicant agreed to the continuance to next month. Several discussions took place as to the reasoning and proper wording for this extension.

Motion made by member Olean to continue this application to the August 28, 2013 meeting, with consent of the applicant, and the current vesting time, 27 days, will be extended beyond next month's meeting. Motion was seconded by member Delgrande. Motion was approved by all members present.

## **COMPREHENSIVE PLAN UPDATE**

Mr. Ranaldi stated that he supplied the Board with a cover page of the comprehensive plan update. The page is showing that there have been a lot of other projects that are feeding into the comprehensive plan that have been completed. The United States census data and the certified tax rolls after the reevaluation have been received. Those reports will be analyzed to bring the plan up to date. A land use map has been completed and will be added to the plan. The housing information, as far as the number of units, will be derived from the tax roll information. An inventory of the Town open space has been completed. The capital investment plan and natural hazards plan has also been completed. These reports include things such as the update to sewer pump stations, dam information and roadway revitalization. A preliminary draft copy of the updated comprehensive plan has been supplied to the Board with edge notes for your review.

**Some discussions took place as to the formatting of the draft copy.**

**Member Olean had some questions for Town Engineer Leslie Quish. Member Olean asked Ms. Quish about a document that she wrote on July 11, 2013 regarding the mill conversion at 90 Industrial Circle. Would the comments affect any decision of the Board on the master plan extension? Ms. Quish replied that the comments are more for a preliminary plan application. Ms. Quish also stated that these comments have nothing to do with the master plan extension.**

**Motion made by member Olean to adjourn and was seconded at 7:33 pm by member Delgrande. Motion was approved by all members present.**

**Respectfully submitted,**

**Russell Hervieux**

**Attached July 17, 2013 TRC Report:**

**On July 17, 2013 at 3:00 pm, the Technical Review Committee met to review the agenda items for the July 24, 2013 meeting of the Planning Board. In attendance were Al Ranaldi, Peggy Weigner, Michael**

**Gagnon, Leslie Quish, John Faile, and Russell Hervieux. Below are the Committee's recommendations.**

### **Major Land Development Review**

#### **a. 90 Industrial Circle AP 2 Lot 82 Master Plan Extension**

**- A.F. Homes, LLC Walker Street & Industrial Circle Discussion / Approval**

**This land development project is for the construction of forty-eight (48) residential units in an existing 41,480 square foot mill building. This project received Master Plan approval with conditions on April 25, 2007. Several master plan extensions have been granted. On July 5, 2008, the General Assembly amended the vesting period set forth in R.I. Gen. Laws §45-23-40. The Town and the applicant disagreed with the vesting period of this particular project. Ultimately, this dispute was settled during a mediation session held according to the procedures of the Rhode Island Supreme Court.**

**Based on this mediated agreement, the applicant appeared before the Planning Board on August 25, 2010 and was granted a reinstatement of their project as a vested Master Plan with conditions. The Planning Board also granted a one year extension of the project to August 25, 2011. The applicant appeared before the Planning Board on July 27, 2011 and August 24, 2011 and was again granted a reinstatement of their project as a vested Master Plan with conditions until August 25, 2012. Lastly, on August 22, 2012, the Planning Board granted another one year extension of the project to August 25, 2013.**

**The applicant submitted a letter to the Administrative Officer on July 11, 2013 requesting another one year extension to August 25, 2014. The letter explained that the all materials per the preliminary plan submission list have been submitted. This submission included the following:**

- Preliminary Plan Submission for Assessor's Plat 2, Lot 82 Located at Walker Street and Industrial Circle, Lincoln, Rhode Island 02865, prepared by Cataldo Associates, Inc., dated June 24, 2013:**
- Soil Erosion and Sediment Control and Stormwater Management Report, prepared by Cataldo Associates, Inc., dated February 13, 2007;**
- A letter from RIDEM dated August 17, 2012 stating that the preliminary plans submitted and their proposed Soil Management Plan Narrative qualify for the existing commercial Environmental Land Use Restriction (ELUR) to be revised to allow restricted residential use of the property.**

**The Town Engineer reviewed the submitted preliminary plan submission. Several comments were noted, see enclosed memorandum.**

**The Administrative Officer took into consideration the comments presents in the Town Engineer's memorandum and two personnel issues and recommended to the applicant to ask the Planning Board for a Master Plan extension. During this time, the applicant can address the comments the Engineer has about this project and return to the Planning Board with all of the comments addressed. The TRC**

**is comfortable with recommending another one year extension for this project and encourages the applicant to continue to move forward with this project. The Town Engineer will be available to review the updated plans during the month of November. Barring any unforeseen objections, the TRC recommends granting another one year reinstatement of their project as a vested Master Plan with conditions until August 25, 2014.**

### **Comprehensive Plan Update**

**Since the last Planning Board meeting, the Planning Department has worked on several elements of the Comprehensive Plan, see enclosed Project Update. Also included an example of what a section will look like with proposed changes.**

### **Zoning Applications (\*) – September’s Zoning Applications**

**Steven Truesdale, Dexter Rock Road, Lincoln, RI – Application for Use Variance to construct a free standing garage in front of the house.**

**AP 23, Lot 261 Zoned: RA 40**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Denial of the application for a use variance to construct a free standing garage in front of the house. The TRC**

**feels that the application does not meet any of the standards for relief of a use variance as presented in the Zoning Ordinance. This parcel of land is a new building site.**

**The submitted building plans for the new house shows a two car garage intergraded into the house. The proposed free-standing garage will be in addition to the future two car garage. The applicant does not offer any compelling reasoning as to why they need an additional three car garage on the property. While the TRC recognizes the property has difficult topography, the TRC feels that the applicant could have incorporated their need for additional garage space while they were designing and placing the house on the site.**

## **Correspondence/Miscellaneous (\*)**

### **a. Staff Reports**