LINCOLN PLANNING BOARD

JANUARY 28, 2015

APPROVED

The regular meeting of the Planning Board was held on Wednesday, January 28, 2015, at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Bostic called the meeting to order at 7:00 p.m. The following members were present: Kenneth Bostic, Gerald Olean, Timothy Griffin, William Murphy and John Hunt. Also in attendance were Town Planner Al Ranaldi, Town Engineer Leslie Quish and Town Solicitor Anthony DeSisto. Russell Hervieux kept the minutes.

The following members were absent from the meeting: Michael Reilly and Jeffrey Delgrande.

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

CONSENT AGENDA

Chairman Bostic reminded members that the consent agenda has two zoning applications, one recorded decision 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 remove the zoning application for Carl Benevides, 85 Industrial Circle, and accept the remainder of the consent agenda as presented was seconded by member Hunt. Motion was approved by all members present.

MAJOR SUBDIVISION REVIEW

a. Darlington Street Subdivision AP 38 Lot 20 Public Hearing – 7:00 PM

Robert & Ruth Biagetti Darlington Street Preliminary Plan Discussion/Approval

Chairman Bostic called the Public Hearing to order at 7:04 pm. Roll call of the abutter's list was read by the recording secretary. There were two responses to the reading of the abutter's list. Chairman Bostic called for any other abutter in the audience whose name was not read to be recognized. No responses were given.

Mr. Ranaldi stated that this application is under a major subdivision review at the preliminary plan stage. This application is being reviewed under the 2005 subdivision regulations. The applicant is requesting to subdivide one lot into two residential lots. The application was elevated to a major subdivision because of dimensional variances required. The Zoning Board granted the variances on January 6, 2015. The preliminary plan received a

certificate of completeness on January 20, 2015 and the Board has until May 20, 2015 to make a decision. This lot is split zoned between RS-20, RL-9 and RG-7. The applicant is proposing the new house to be located in the front portion of the lot which is in RL-9. Water is available to this subdivision. The plan shows the sewer line to have a bend in it. The Town requests that the line be run straight with no bend. There is a shed shown on the proposed new lot. A shed has to be an accessory use to the house. Therefore the shed must be moved to the lot with the existing house or be demolished. Barring any unforeseen circumstances from the public hearing, the TRC recommends preliminary plan approval with conditions. The conditions are that the plan must be updated to show the sewer line running straight from the proposed house to the manhole and a note must be added to the plan addressing how the applicant will deal with the shed.

Robert Biagetti, owner and applicant, made a brief presentation to the Board. Mr. Biagetti stated that the land surveyor was supposed to be in attendance but is not. The shed will be moved to the lot with the existing house.

Chairman Bostic opened up the meeting to comments from the public.

Paul Brule stated that he owns the lot adjacent to what would be the new lot. Mr. Brule just wanted to speak in favor of this subdivision.

Motion made by member Olean to close the public hearing at 7:11 pm was seconded by member Hunt. Motion was approved by all members present.

Member Olean had a question about the TRC report to the Town Solicitor. Member Olean stated that the plan submitted showed the sewer line with a bend in it and the TRC recommends running it straight. Does the TRC have the authority to recommend this? Town Solicitor DeSisto replied that this is a technical question in which the Town Engineer should reply to. Town Engineer Quish stated that the bend is actually in the Town right-of-way. Ms. Quish stated that she and the Sewer Superintendent consulted on this issue and agreed that the bend be removed. Ms. Quish brought that information to the TRC.

Motion made by member Olean to accept the TRC report was seconded by member Hunt. Motion was approved by all members present.

Member Olean withdrew the previous motion along with member Hunt to present a new motion with more clarity per the request of the Town Solicitor.

Motion made by member Olean to approve preliminary plan with conditions based on the report of the TRC was seconded by member

Hunt. Motion was approved by all members present.

Motion was made by member Olean to delegate final plan approval to the Administrative Officer was seconded by member Griffin. Motion was approved by all members present.

b. Dennell Drive Subdivision AP 42 Lot 10 Preliminary Plan
Dennell Properties 15 Dennell Drive Discussion/Approval

Mr. Ranaldi stated that this application being reviewed under the 2005 subdivision regulations. The application is for a major subdivision of 1 lot into 4 residential lots with a street extension. The applicant received a certificate of completeness on November 10, 2014 and the Board has until March 10, 2015 to make a decision. The Town has been working with the applicant and vice versa. The applicant is requesting a waiver on maximum length of the cul-de-sac. The applicant is proposing 907' where the regulations require 900' maximum. The TRC along with the Town engineering and public works departments recommend approval of that waiver. There are several other issues that need to be resolved with this application as listed in the TRC report. This application falls under the new RIDEM regulations. The Town would like to hear RIDEM comments before making a recommendation to this Board. Another major concern is the plan shows the sewer line covered by 1 ½ feet of soil, in one area, which is unacceptable. The regulations call for 6' of soil cover over a sewer line. The TRC recommends that the applicant

address the concerns and come back to the TRC and the Board for a further review.

John Shekarchi, attorney for the applicant, made a brief presentation to the Board. Mr. Shekarchi introduced the engineer, David Duranleau, working on this project. Mr. Shekarchi agreed to extend the date the Board has to make a decision, March 10, 2015, by 90 days. The applicant had hoped to have the RIDEM approval for tonight's meeting but it has not come in yet. The applicant understands that the Town would like to see this approval prior to moving forward. Mr. Shekarchi would like to take some time tonight to explain the design of the sewer.

David Duranleau, engineer for the applicant explained that he did not do the design however he worked with the engineer who did the design. Member Olean expressed a concern that the applicant should meet with the TRC to explain the details of the sewer design. This is not the right forum for that discussion. Mr. Duranleau stated that his company is working toward resolving all issues that the Town Engineer has brought forth. Mr. Shekarchi stated that the applicant will submit further information to Town staff in time for TRC review. Chairman Bostic reminded the engineer that a note should be on the plans stating that all grinder pumps to have a generator back up included. Town Solicitor DeSisto requested that a statement from the applicant be submitted as to why the grinder pumps are being proposed. Chairman Bostic stated, with agreement from the Town

Solicitor, that a grinder pump design would require a waiver. Mr. Shekarchi stated that the applicant will hold off on appearing before this Board until the RIDEM approval is received. However the TRC will be notified on the progress on a regular basis. Town Engineer Quish stated that any corrections for the sewer line that require additional fill will also have to be reviewed by RIDEM.

c. Highridge Subdivision AP 31 Lot 20 Master Plan
Highridge Corporation 192 Old River Rd. Discussion/Approval

Mr. Ranaldi stated this is a new application under the 2005 subdivision regulations. The application was elevated to a major subdivision because of some zoning relief required. The applicant received a Use Variance in 1958 for recreational use on the property. The property currently is a private pool club. The applicant is intensifying the use by reducing the size of the lot which will require approval by the Zoning Board. The application received a certificate of completeness on January 20, 2015 and the Board has until May 20, 2015 to make a decision on master plan. The application represents the subdivision of 1 lot into 3 lots. The applicant wishes to cut off two lots that front on Old River Road. The lots would each be 12,000 square feet which meets the zoning requirement. Since 1958 the property has had a grass parking lot for this use. It may have met the code back then however it does not meet the current code. Current code requires pervious pavement with striping. The Town did look at this parking setup and realize it has worked up to now. The use

currently only runs from May until September. If the Town requires the parking area to be upgraded to the current code, it would be a significant burden to the applicant and the property. The TRC would consider offering a positive recommendation on the grass parking area if the applicant agrees to stipulate the use would only run from May until September. The TRC would like to see a more detailed parking plan. A vegetated buffer needs to be added to the plan around the two proposed lots.

John Shekarchi, attorney for the applicant, made a presentation to the Board. Mr. Shekarchi stated that this application was submitted previously but were informed of the 1958 Use Variance and the need to update that variance. A meeting was held with the Board of the swim club and they agree that the variance would need to be updated. The applicant is agreeable to state that this use is only seasonal and a more detailed plan is being worked on. The applicant wishes to get master plan approval so they can seek the appropriate relief from the Zoning Board. Member Olean asked why this applicant needs to go to the Zoning Board. Mr. Shekarchi explained that a Use Variance was granted in 1958 for this use to be located on this property and the applicant thought it was a grandfathered use predating zoning. Therefore because the applicant is making a change, the use variance must be modified by the Zoning Board. Town Solicitor DeSisto reminded the Board that the applicant must get approval from zoning for the modified use and additionally some variances for the parking areas. Mr. Ranaldi added that a vegetative buffer must be shown on the plan to separate the commercial use from the two new residential

lots. Mr. Shekarchi stated that if the Board seems comfortable with the concept then the applicant will submit a more formal plan with the changes discussed and seek master plan approval. This application will be continued to the next meeting for a more detailed plan.

MINOR SUBDIVISION REVIEW

a. 1004 Great Road Subdivision AP 23 Lot 66 Preliminary Plan
Jason Taylor 1004 Great Road Discussion/Approval

Mr. Ranaldi stated that this application is for a minor subdivision of 1 lot into 2 lots. The application is being reviewed under the 2005 subdivision regulations. The application received a certificate of completeness on January 20, 2015 and the Board has until March 26, 2015 to make a decision on preliminary plan. The applicant has addressed all of the Town concerns regarding the property. The property has a lot of ledge and the applicant had to show the Town how drainage would be handled. The TRC recommends preliminary plan approval with conditions. The conditions are that owner of lot 66 would be responsible for future clearing of vegetation as necessary to maintain a sight distance with a note be added to the plan for this and a Physical Alteration Permit from RIDOT be submitted. The applicant also wishes to delegate the final plan approval to the Administrative Officer.

Nick Facendola, engineer for the applicant, made a presentation to

the Board. Mr. Facendola stated that the property currently has an existing house on an 85, 263 square foot parcel. The applicant is looking to subdivide this lot into two lots; the first lot will have 32, 440 square feet and will keep the existing single family dwelling. The second lot will have 44,234 square feet with a proposed single family dwelling. There is a small wetland to the rear of the lot but all work will be outside of the jurisdictional wetland area. There will be no RIDEM approval required. The site has a lot of ledge on it and the house has been shown in the best possible location. The driveway is located on the right side of the lot for improved sight distance on Great Road. The sight distances are 263 feet looking north and over 400 feet looking south. The minimum sight distance for Great Road is 250 feet so these lots do comply. There will be some maintenance required by the future homeowner to maintain that sight distance. All of the setbacks comply with the RS-20 zoning district so no zoning relief is required. The applicant addressed all the issues regarding drainage that was brought up by the Town Engineer.

Motion made by member Olean to accept the TRC report with conditions listed in the report and the applicant has to receive a Physical Alteration Permit from RIDOT was seconded by member Griffin. Motion was approved by all members present.

Motion made by member Olean to delegate Final approval to the Administrative Officer was seconded by member Griffin. Motion was approved by all members present.

ZONING APPLICATIONS

Carl Benevides, 85 Industrial Circle, 15 Moshassuck Road, Lincoln, RI – Application for Special Use Permit to allow a mixture of uses including live/work units for a mill conversion project for property located at 85 Industrial Circle, 15 Moshassuck Road, Lincoln, RI.
AP 2 Lots 88 and 92 Zoned: MG-0.5

Member Olean asked if anyone was present to speak on this application. Mr. Ranaldi stated that the applicant was not present but was supposed to be. The reason why this application was removed from the consent agenda because it is the first one under the mill conversion overlay zone in which this Board and the Zoning Board will review. The overlay zone sets out about twenty specifications that an applicant would have to supply. If the applicant can meet the guidelines then a Special Use Permit could be granted by the Zoning Board. This Board would only make a recommendation to the Zoning Board on these applications. The applicant was not able to provide all the necessary specifications. The basics elements of the project are already in place but the applicant has to show this on paper and provide a timeline. Mr. Ranaldi gave a brief description of what the applicant proposes to do with this project. The Board decided to forward a message to the Zoning Board stating no recommendation is made due to the lack of testimony by the applicant.

SECRETARY'S REPORT

The Board was given one set of minutes to review. The minutes are for December 17, 2014. The Town Planner Al Ranaldi stated that he has reviewed these minutes.

Motion made by member Olean to dispense with the reading of the December 17, 2014 minutes was seconded by member Griffin. Motion was approved by all members present.

Motion made by member Griffin to accept the December 17, 2014 minutes as presented was seconded by member Olean. Motion was approved by all members present.

GENERAL PLANNING BOARD DISCUSSIONS/INQUIRIES WITH TOWN STAFF

Town Solicitor DeSisto made a presentation to the Board. Mr. DeSisto stated that he would discuss some legal issues regarding the sewers. A question had been raised as to whether private sewer lines and grinder pumps could be made as conditions of approval. The Board can place those conditions on subdivision approvals. Mr. DeSisto explained the effects of placing conditions and how to determine if they are appropriate. It is important to note that waivers and conditions of approvals must be reviewed on a case by case

basis. Discussions took place on what information/approvals from different agencies should be received prior to the Board granting approval of a subdivision. It was further discussed that the subdivision regulations and sewer ordinance do need some updating. The Town Engineer has started with an update to the Town sewer ordinance. Waiver requests from the applicant should be in writing according to the Town Solicitor. The Board requested to be kept up to date on any revisions to proposed revisions to the sewer ordinance or subdivision regulations. Member Olean asked if the comprehensive plan update is still on schedule. Mr. Ranaldi stated that it was on schedule and work is being completed on it.

Motion made by member Olean to adjourn and was seconded at 8:33 pm by member Griffin. Motion was approved by all members present.

Respectfully submitted,

Russell Hervieux

Attached January TRC Report:

On January 20, 2015 at 3:00 PM, the Technical Review Committee met to review the agenda items for the January 28, 2015 meeting of

the Planning Board. In attendance were Al Ranaldi, Leslie Quish, Michael Reilly, Romeo Mendes, Peggy Weigner, and Russell Hervieux. Below are the Committee's recommendations.

Major Subdivision Review

a. Darlington Street Subdivision AP 38 Lot 20 Public Hearing – 7:00 PM

- Robert J. & Ruth R. Biagetti Darlington Street Preliminary Plan Discussion

/ Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two residential lots. The project was elevated to a major subdivision due to the need for two front setback dimensional variances for the existing house. One front setback variance is on Darlington Street and the other front setback is from Church Street. The applicant received zoning relief on January 6, 2015. The project is being reviewed at the Preliminary Plan review stage. It is in front of the Planning Board for a Public Hearing.

On January 20, 2015, 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, 2015, or within such further time as may be consented to by the applicant.

The preliminary plan submission included the following:

- **A plan entitled, Robert J. & Ruth R. Biagetti, AP38 Lot 20, 5 Darlington Street, Lincoln, Rhode Island – Major Subdivision, prepared for Robert J. & Ruth R. Biagetti by National Surveyors Developers Inc. of Woonsocket, RI, dated December 2013 and revised on December 13, 2014, January 2, and January 5, 2015.**
- **A letter from the Lincoln Water Commission dated November 18, 2014.**
- **A letter from the Lincoln Department of Public Works – Sewer Maintenance and Operations Division dated November 14, 2014.**

Site Layout

The Technical Review Committee reviewed the project submission. The applicant owns a 39,652 square foot residential lot located at the intersection of Darlington and Church Street. There is an existing house and an existing shed. The property is divided by three zoning districts. Zoning district RL-9 is located along the front portion of the property. Zoning district RS-12 and RG-7 is located to the rear of the property. The plans have been modified to show the correct building setbacks for each zone. The applicant is proposing to subdivide this lot into a two residential lots. Proposed lot A will have 21,506 square feet and proposed lot B will have 18,146 square feet. Proposed lot B

will contain the existing house. Proposed lot A will contain an existing shed.

The front setbacks of the existing house are pre-existing non-conforming to the existing zoning criteria. The applicant received zoning relief on January 6, 2015. According to the Zoning Ordinance, a shed is an accessory structure to the principal use – the existing house. As a condition of final plan approval, the TRC recommends that this shed be moved onto proposed lot B or demolished. If the applicant decides to relocate the shed to proposed Lot B, the shed must be located 6 feet from the rear and side property lines.

Utilities

Public sewer and water are located within Darlington Street and Church Street. The public sewer line does not run along the front of proposed lot A. However, access to the public sewer system can be provided from a sewer manhole located at the intersection of Darlington and Central Street. The applicant proposed a location for the sewer line on the plans; however, the sewer supervisor would rather have the sewer lateral run diagonally with no bends from the corner of the house to the manhole. The route of the sewer lateral would be a condition of preliminary plan approval and reviewed at the building permit stage.

If this subdivision is approved, stormwater management will be required for the new house to be built on proposed lot A. The design and type of stormwater management system depends on the size and

location of the new house as well as the location and size of the driveway. This review will be addressed at the building permit review stage and does not need to be shown on these plans. Soil and Erosion Control Plans will be required prior to issuing building permits.

Based on the project's submission and barring any unforeseen concerns brought out at the Public Hearing, the Technical Review Committee feels that the application has successfully met the requirements of the Preliminary Plan review stage. The TRC recommends Preliminary Plan Approval with Conditions. The conditions of Preliminary Plan Approval are:

1. The plan set submitted for the preliminary plan preview stage must show the proposed sewer lateral running diagonally from the corner of the proposed house to the manhole.

2. A note is placed on the final plan indicating how the applicant will address the issue with the existing shed.

b. Dennell Drive Subdivision AP 42 Lot 10 Preliminary Plan Discussion

- Dennell Properties 15 Dennell Drive / Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into four residential lots. The proposed project is classified as a major subdivision due to the proposed extension of the existing Dennell Drive right-of-way. The project is in front of the Planning Board at the Preliminary Plan review stage.

On November 10, 2014, 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 March 10, 2015, or within such further time as may be consented to by the applicant.

The preliminary plan submission included the following:

- **Preliminary Plan AP 42 Lot 10 Dennell Drive Lincoln Rhode Island, Prepared for Harry Zervas, prepared by Ocean State Planners, Inc., dated January 7, 2015.**
- **Response to Comments Letters from Ocean State Planners, Inc dated January 6, 2015 and from Byron R. Holmes, PE dated December 31, 2014.**
- **Drainage System Operation and Maintenance Plan, Dennell Drive, Lincoln Rhode Island.**
- **Erosion and Sedimentation Control Plan, Dennell Drive, Lincoln Rhode Island**

Site Layout

The Technical Review Committee reviewed the project submission against the requirements for a preliminary plan review. The applicant owns a 19 acre +/- parcel of land on which one residential home is

located. The zoning district is RA-40. The applicant is proposing to subdivide this lot into a four lot subdivision with the extension of the existing right-of-way (Dennell Drive). The existing right-of-way will be extended from its existing length of 436 feet to a total length of 907 feet. The maximum cul-de-sac length in an RA-40 zone is 900 feet. The Applicant has requested a variance. However, a variance in not required; a waiver must be requested from the Planning Board. The TRC recommends approval of this waiver based on the minimal length requested.

The proposed right-of-way would end in a cul-de-sac. The existing cul-de-sac will be removed and the remaining land will be added to the abutting property owners. The project submission shows a 5 foot sidewalk proposed for each side of the new right-of-way. All proposed curbing will be granite per the regulations.

The proposed subdivision meets the zoning requirements of the RA-40 zoning district and the submitted plans show the required setbacks for each new lot. The applicant stated that he plans on building 4,000 to 5,000 square foot houses. The TRC would like to see if the footprint of a house this size will fit within the setbacks. The TRC asked the applicant's engineer to show actually sized footprints on the plans.

According to the Land Development and Subdivision Regulations, the grade within a cul-de-sac and for a distance of 30 feet prior to it, shall not exceed one percent. Revisions have been made to the profile; however the elevations listed on the 50-foot stations along the bottom

of the profile were not updated. The Town Engineer noted that the grade change between station 3+50 and 4+00 based on the interpolated elevation in the profile, appears to still exceed 1% in this location. The TRC recommends that the applicant addresses this concern.

The Town Engineer reviewed the submitted plans for general conformity with the Town of Lincoln Zoning Ordinance and Land Development and Subdivision Regulations, and the over-all constructability of the development. The following items were not provided or need to be revised:

a. Sections 17(A)(2) and 22.D(1)k: Permits by federal and state agencies related to freshwater wetlands must be provided. The Applicant has stated that they are in the permitting process with RIDEM.

b. Section 17(A)(4): Copies of all legal documents describing the property, proposed easements and rights-of-way shall be submitted.

c. Section 17(D): Proposed arrangements for completion of the required public improvements, including the construction schedule and/or financial guarantees shall be reviewed and conditionally approved by the Planning Board at the preliminary plan approval.

d. Section 22.D.(1)l: A stamped electrical plan, accepted by the local electrical utility company, showing locations of conduits and street lighting devices to be accepted by the Town of Lincoln has not been provided. The Applicant has stated that the Utility Company will not provide a plan until the Subdivision has been approved by the Town.

Provide a plan showing the design intent.

e. Section 22.D.(2)w: The centerline profile shall include all underground utilities and street light locations. Gas, electric, telecommunications, and street lighting are not shown.

In addition to the items list above, many minor concerns were presented within a memo from the Town Engineer to the Town Planner. This memo was given to the applicant's engineer for his revision as well as included in the Planning Board packets. The majority of the concerns are minor in nature and can be quickly addressed. However, the Town Engineer identified a significant concern regarding the sewer pipes. Adequate pipe cover is not provided over the sewer main between stations 1+30± and 2+55±. The Town requires six feet of cover (refer to Town of Lincoln Road Profile Detail #26.4). The applicant must redesign this segment of the sewer system in order to comply with the Town's standard. Five feet of cover may be considered acceptable in this application. A waiver would be required for cover less than six feet.

Stormwater Management System

A stormwater management system that will serve the proposed roadway will be located on Lot 3. This stormwater management system shall be designed in accordance with the Land Development and Subdivision Regulations and the December 2010 edition of the Rhode Island Stormwater Design and Installation Standards Manual. The Drainage System Operation and Maintenance Plan references the

Town of Lincoln as possibly accepting the drainage system. The Town of Lincoln will not accept the stormwater management system or any part of it. The only portion of the stormwater system to be accepted and owned by the Town will be the catch basins, manholes, and pipes within the future Town right-of-way. The applicant must provide documentation that clearly identifies who and how the Wet Vegetated Treatment System (WVTS) will be owned and maintained. The Town will accept either a homeowner's association or the property owner of Lot 3 as the responsible party that will maintain the stormwater system. Stormwater mitigation for each individual house lot will be reviewed at the building permit review stage.

The applicant is proposing to install a WVTS. This type of stormwater management system is one of the acceptable systems allowed within the current edition of the Rhode Island Stormwater Design and Installation Standards Manual (RISDISM). However, the Town is not familiar with this type of system and would prefer to have the Rhode Island Department of Environmental Management review and approve the system before the Town makes its final recommendation to the Planning Board. Therefore, the TRC recommends that the applicant submits an approved RIDEM permit for the system before the preliminary plan is approved. The Town's Engineer reviewed the proposed system against the Rhode Island Stormwater Design and Installation Standards Manual and had many concerns. These concerns are outlined within the Town Engineer's memo and should be addressed and revised.

A RIPDES permit from the Rhode Island Department of Environmental

Management (RIDEM) will be required as a condition of preliminary plan approval. A RIDEM Wetlands Permit or Determination of Applicability will be required as a condition of preliminary plan approval.

Utilities

Currently, underground public utilities exist within Dennell Drive and are available to the proposed house lots. House lot number 1 has an existing gravity connection to the public sewer system. The applicant is proposing to extend the public gravity sewer line approximately 100 feet down the new roadway extension. A private force main system is proposed for house lot number 2 and 3. Each house will have an individual grinder pump with a force main collection system located outside of the future Town Right of Way. The force main collection system would collect and convey flow into the extended public gravity sewer line via a new manhole. The town will have no responsibilities for this system.

The TRC and the Town acknowledge that this type of sewer system is not common within the town and that the Planning Board may have some reservations about this system. The Town Engineer and Public Works Director did extensive research on the proposed private sewer system. Based on their research, they feel that the force main and individual grinder pump sewer system is a proven system for the removal of residential sewer waste. The Town does not object to the proposed system as conceptually presented, conditioned upon the following stipulations:

• The Town of Lincoln will take no ownership or responsibility for the force main system, including the individual grinder pumps.

• Complete engineering of the proposed system must be submitted for review by the Town at the preliminary plan phase of review.

• A private line agreement is required for review and approval by the Town.

• All proposed house lots must be created and recorded at the same time; phasing of individual lots will not be permitted. The deed for each lot utilizing the force main system must include appropriate reference to the private line easement benefitting lot #3 running along the frontage of lot #2, and that the Town of Lincoln will take no ownership or responsibility for the force main system, including the individual grinder.

• Notation on the Final Recorded Plan referencing the legal documents associated with the private sewer system.

The Lincoln Water Commission (LWC) has not seen a revised site plan as it relates to the public water system. The LWC would like the applicant to submit plans for review as soon as possible. At the master plan review stage, the LWC acknowledged that they will not require the public water system to be looped. The TRC would like the applicant to provide the Town with written acknowledgement of the LWC's position on this subdivision for the file.

Based on the project's submission, the Technical Review Committee feels that the applicant should address the comments and concerns

presented above and return next month for further review.

c. Highridge Subdivision AP 31 Lot 20 Master Plan Discussion
- Highridge Corporation 192 Old River Road / Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into three lots. The existing lot is proposed to remain as a recreational use. The two new lots will be developed as single family homes. The project was elevated from a minor subdivision to a major subdivision due to the need for a zoning relief on the original lot. A use variance was granted in 1958 for the recreational use of the property. The subdivision of two lots from the original lot represents an intensification of that use which was granted in 1958. The project is at the master plan review stage.
On January 20, 2015, 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 May 20, 2015, or within such further time as may be consented to by the applicant.

The master plan submission included the following:
1. A site plan entitled: Lincoln RI, Preliminary Major Subdivision,

Prepared for Highridge Corp, Class 1 Survey of AP31 Lot 20, Old River Road, RS-20, dated January 30, 2014, and a Record Plan dated February 27, 2014 and prepared by Marsh & Long Surveying.

2. A report entitled: Highridge Road Subdivision, Three-Lot Minor Subdivision Application, 192 Old River Road, Lincoln, Rhode Island, Assessor's Plat 31, Lot 20, prepared for: Highridge Corporation, by Edward Pimentel, AICP, dated February 17, 2014.

Site Layout

The Technical Review Committee reviewed the project submission. The applicant owns a 6.66 acre +/- parcel of land on which a recreational club is located. Parking for the members is a grassy field located between the buildings and Old River Road. The zoning district is RS-12. A use variance was granted in 1958 for the recreational use of the property. The applicant is proposing to subdivide this lot into a three lot subdivision. The two proposed new lots are each approximately 12,000 square feet in size and are accessible from Old River Road. Access to the original lot will remain from its current location.

Zoning Requirements

The two proposed residential lots meet the zoning requirements of the RS-12 zoning district. A use variance was granted in 1958 for the recreational use of the original lot. The subdivision of two lots from the original lot represents an intensification of that use. Therefore, the applicant must re-apply to the Zoning Board for zoning relief. An application has not been filed with the Zoning Board at this time.

The plans show that the existing parking lot layout will remain as a grassy field. This parking lot has successfully served the needs of the facility since its opening in 1958. However, when a property and its associated use is changed or significantly modified, the zoning ordinance requires that the property must be brought up to the present zoning and subdivision/land development standards. In the case of this application, the parking area would have to meet the parking lot standards outlined in Article V – Parking and Loading, Section 260-31B. This means that the grassy parking lot would have to be paved and striped.

The existing commercial use of the property also requires that a buffer be created between the commercial use and the residential use. According to the zoning ordinance, "A parking area for more than 20 cars adjacent to or within a Residential District shall have an opaque fence maintained between such parking area and the adjoining Residential District. Such fence shall be not less than four or more than six feet in height. A compact evergreen screen not less than five feet in height may be used in place of the fence". The TRC recommends that the applicant includes a compact evergreen screen along the two sides that abut the commercial use. This requirement would be a condition of preliminary plan approval.

The Town spoke with the representative of the applicant and explained what would be required to meet this zoning requirement. The group concluded that this requirement would be excessive based on the limited amount of use the parking area experiences. Currently, the pool facility operates from May to the end of September. The

organization does not plan on changing their use or increasing their membership. As stated above, the grassy parking lot area has worked for the facility since its opening in 1958. The applicant stated that they would be willing to limit their months of operation to the time they currently operate in. This limitation could be incorporated into the zoning application and if approved, would be part of a condition of approval. The outcome of the zoning application would be recorded against the title of the property. This proposal would constitute the need for an additional variance from the zoning ordinance.

Parking Lot

If the applicant receives approval for a variance of the parking requirements, the TRC would like to see a detailed layout of the grassy parking lot. The TRC does not support the design of the parking lot as it is presented on the plans. The TRC feels that the parking lot shown on the plans does not contain enough information to show that the flow works properly. The TRC recommends that the applicant develops measures that would indicate specific parking stalls and travel lanes. The TRC would be happy to meet with the applicant to explore their options.

Utilities

Public sewer and water are located within Old River Road. If this subdivision is approved, stormwater management will be required for each individual house lot. The design and type of stormwater

management system depends on the size and location of the new houses as well as the location and size of the driveways. Therefore, the review and approval of the stormwater management system for each house will be handled at the individual building permit review stage and does not need to be shown on these plans.

Based on the project's submission, the Technical Review Committee feels that the applicant should address the comments and concerns presented above. When the comments and concerns are addressed, the applicant should submit the revised plans to the Technical Review Committee and the Planning Board for further review.

Minor Subdivision Review

a. 1004 Great Road Subdivision AP 23 Lot 66 Preliminary Plan Discussion /

- Jason Taylor 1004 Great Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two single family residential house lots. There is an existing house on the original lot which will remain. The applicant is not requesting any subdivision waivers or zoning variances. This project is classified as a minor subdivision. The project is at the preliminary plan review stage.

On January 20, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within sixty-five (65) 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 March 26, 2015, or within such further time as may be consented to by the applicant.

The preliminary plan submission included the following:

- **Minor Subdivision AP 23 Lot 66 Great Road, Lincoln, Rhode Island prepared by Level Design Group, revised January 22, 2015.**
- **Preliminary Minor Subdivision, Lincoln RI, Prepared for Jason Taylor, Class I Survey of AP 23 Lot 66, Great Road Zone RS-20 & RA-40, by Marsh & Long Surveying, Inc, revised January 16, 2015.**

1. **Letter responding to engineering comments from Level Design Group, dated January 22, 2015.**

Site Layout

The Technical Review Committee reviewed the project submission. The original lot is 85,263 square feet (1.96 acres). The lot is divided by two residential zones. The front portion of the lot is zoned RS-20 and the back portion of the lot is zoned RA-40. The original lot will be reduced to 41,029 square feet (0.94 acres). The proposed subdivided lot will be 44,234 square feet (1.02 acres).

Zoning Requirements

According to the Zoning Ordinance, when a lot is divided by a zoning boundary, the zone is determined by the location of the structure.

The applicant is proposing to locate the new house within the RS-20 zone. Therefore, the building setbacks for this zone would apply to the new house.

Utilities

Public sewer and water are located within Great Road and are available to the proposed house. The exact connection locations will be addressed at the building permit stage. Stormwater management will be required for the new house. The design and type of stormwater management system depends on the size and location of the new house as well as the location and size of the driveway. Due to the excessive ledge on the site, the placement of the house is very limited. Therefore, the applicant has shown proposed locations for the house, driveway, and stormwater system. A detailed review and approval of the house placement, driveway location and stormwater management system will be addressed at the building permit review stage.

Great Road is a State roadway. Therefore, a Physical Alteration Permit from the Rhode Island Department of Transportation will be required prior to issuing a Building Permit. The proposed lot is located at a slight curve in the road. The plan depicts clearing within the Great Road ROW in front of Lot 151 of Plat 23 to achieve the required sight distance. The owner of Lot 66 is responsible for future clearing as necessary to maintain the sight distance. A note stating this responsibility shall be included on the final plan.

Based on the project's submission, the Technical Review Committee feels that the application successfully addresses the requirements set out in the Town's Land Development and Subdivision Regulations. Therefore, the Technical review Committee recommends Approval with Conditions of this minor subdivision. The conditions of approval are as follows:

1. The owner of Lot 66 is responsible for future clearing as necessary to maintain the sight distance. A note stating this responsibility shall be included on the final plan.

Zoning Applications (*) –February Zoning Applications

Eugene M. Kramer, 56 Riverside Drive, Lincoln, RI/Beverly Kramer, Trustee, 7065 Francisco Bend Drive, Delray Beach, FL - Application for Dimensional Variance seeking rear setback relief for the construction of an addition for property located at 56 Riverside Drive, Lincoln, RI.

AP 13, Lot 131 Zoned: RL 9

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 dimensional variance seeking rear setback relief for the construction of an addition. According to the application, submitted plans and site visit, the proposed addition has already been constructed. This construction of this addition was not included in the building permit that was issued for this house. The Technical Review Committee

feels that the current site plan and application does not represent the least relief necessary, the application does not present a compelling reason for the need for an addition, and is not due to the unique characteristics of the subject land.

Carl Benevides, 85 Industrial Circle, 15 Moshassuck Road, Lincoln, RI – Application for Special Use Permit to allow a mixture of uses including live/work units for a mill conversion project for property located at 85 Industrial Circle, 15 Moshassuck Road, Lincoln, RI.
AP 2, Lots 88 and 92 Zoned: MG 0.5

This application is the first project being reviewed under Mill Conversion Overlay District. A copy of the requirements of the overlay district is included in your packets. The Technical Review Committee has been working with the applicant in developing this project. It was discussed at the TRC meeting that the project is not ready to be officially reviewed by the Zoning Board or the Planning Board. However, since this is the first project being reviewed under the overlay district, the TRC suggested that the applicant appear before each board to offer a preview of the project and to discuss any concerns that each board may have.

Correspondence/Miscellaneous (*)
a. Staff Reports
b. CoxCom Inc. AP 40 Lots 17, 18, & 19 Administrative Subdivision