

**Town of Lincoln**

**Zoning Board of Review**

**100 Old River Road, Lincoln, RI**

**Minutes of July 9, 2013 Meeting**

**Present: David DeAngelis-Chair, John Bart–Vice Chair, Lori Lyle, Stephen Kearns, John Barr, Barry Nickerson, Town Solicitor**

**Excused: Mark Enander**

**Minutes**

**Motion made by Member Bart to accept the June 2013 Minutes as presented. Motion seconded by Member Barr. Motion carried by all present.**

**Correspondence**

**None**

**Applications:**

**International Café, 1526 Old Louisquisset Pike, Lincoln, RI/Elia Nassios, 1 Riote Road, Smithfield, RI – Application for Dimensional Variance seeking parking relief for restaurant with expansion.**

**AP 42, Lot 19 Zoned: BL 05**

**Member Kearns sitting on this application.**

**This application was continued from the June agenda. Board members informed applicant that he needed to return with a parking plan.**

### **Witness**

**Geoff Mutter, Surveyor that prepared the original plans before the Board. Changes have been made reducing the number of seating in the patio area to 250 and is now 3,750 sq.ft. and meets required maximum capacity for the site.**

**Spoke with the Fire Marshall and he is not concerned about the outdoor capacity. Parking area does not have a designated parking space for a handicap van/vehicle.**

**Chairman had an issue with the number of parking spaces to meet the capacity of the restaurant and patio area. Applicant informed Chairman that 5 parking spaces have been added to the rear of the building.**

**Chairman addressed applicant stating the bottom line before the Board this evening was what does this Board need look at to determine the number of required parking spaces. Solicitor stated the Board needs to look at the total capacity and number of seats at the site and use whatever is more restrictive.**

**Russell Hervieux, Zoning Official informed the Board that under the Building Code this is a A2 use and square footage of the building divided by 15 equals maximum occupancy or 250 people on the patio.**

**Use code for parking is capacity divided by 4 equals 63 parking spaces for the patio plus 38 for the restaurant and employees for a total of 107 parking spaces. Member Kearns asked applicant if he was willing to reduce the number of tables and chairs on the patio.**

**Attorney for applicant asked if they could have a continuance to the next meeting to reconfigure the plans. Chairman replied that applicant has had ample time to present proposed plans and now he has two options: withdraw the application before this Board without prejudice and come back with a new application or continue to present the application tonight with Board's final decision. No further continuances would be available. The Board needs an accurate site plan which could be submitted with a new application. Applicant would also need an architectural rendering from a certified architect.**

**Attorney conferred with applicant and they asked the Board to withdraw the application before this Board without prejudice.**

**Motion made by Chairman and seconded by Member Nickerson to accept applicant's request to withdraw the application without prejudice. Motion carried by all present.**

**Lino Corredora, 40 Chapel Street, Lincoln, RI – Application for a**

**Special Use Permit to redevelop a commercial building into a four unit residential dwelling.**

**AP3 Lot 176 Zoned: RG 7**

**Represented by: John Shekarchi, Esquire, 132 Old River Road, Lincoln, RI**

**Chairman read into the record standards that need to be met for a Special Use Permit. Member Kearns sitting on this application.**

**Witness**

**Edward Pimentel, AICP**

**What applicant is requesting is a permitted use. Mr. Pimentel prepared a comparison table for presentation to the Board. Building is a pre-existing structure and has been there for 100 years. Applicant wants to preserve the historic structure and convert it to a multi-tenant building. Site is the former senior center for the Town of Lincoln. There are other 3-4 unit structures in the area and what he is proposing is an allowed use. Proposed use will not alter the neighborhood – other 3 and 4 unit residences in the area. Property has access to Town water and sewer.**

**Witness**

**Lino Corredora, Owner**

**Site originally had 9 parking spaces – surveyor could not come up with angled parking space plan. Will use flood lighting on exterior of the building. Applicant trying to keep the building and land close to**

historic condition. If need be, could eliminate one parking space on the right hand side and angle spaces numbered 1, 2 and 3 on the plans. Building will consist of four 2-bedroom units with 4 separate entrance.

Russell Herviex, Zoning Official informed the Board that any attempt to back out of a parking space could be dangerous. Hammerhead parking spaces could work at this site.

Chairman read into the record Planning Board/Technical Review Committee recommendation:

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Planning Board recommends Approval of this application for a special use permit to convert a commercial building into a four unit residential dwelling. The Planning Board feels that the surrounding neighborhood is made up of a variety of housing units ranging from single family homes to four family homes. The special use permit will not change the appearance of the building. The Planning Board feels that granting the special use permit will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Motion made by Member Bart to approve the application with the condition that parking spaces 1, 2, 3 and 4 at the northeast corner be changed to angled parking for spaces 1, 2 and 3. He further stated:

**Motion seconded by Member Nickerson. Motion carried by all present.**

**Link Commercial Properties LLC, 1150 New London Avenue, Cranston, RI – Application for Special Use Permit for signage for a multi-tenant commercial building at 613 George Washington Highway, Lincoln, RI**

**AP41, Lot 9 Zoned: BL 0.5**

**Represented by: John Shekarchi, Esquire, 132 Old River Road, Lincoln, RI**

**Chairman read into the record standards that need to be met for a Special Use Permit:**

**Witness:**

**Edward Pimentel, AICP**

**There are no tenants on premises at the moment. Signage is for one pylon sign which will be two-sided @ 100 sq.ft. per side = 200 sq. ft. sign. A restaurant sign for Panera Bread will be wall mounted for total signage of 590 sq. ft. Applicant is seeking 526 sq. ft. relief. Town code allows 64 sq.ft. for signage. Esthetics will be in character with the area. 590 sq. ft. for four tenants is reasonable. Lighting at**

**the site will be per code.**

**Russell Hervieux, Zoning Official stated it is easier for the Town to cap the property for signage relief making it easier for the landlord to negotiate with prospective tenants.**

**Chairman read into the record Planning Board/Technical Review Committee recommendation:**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and the application for a special use permit for new signage at the proposed multi-tenant commercial buildings – tenants to be determined - located at 618 George Washington Highway. The submitted application is for a special use permit to allow signage in excess of the allowed square footage and a special use permit to allow a number of signs in excess of the limit allowed under the ordinance. The applicant is proposing a two sided pylon sign totaling 200 square feet, a proposed restaurant sign totaling 80 square feet, a proposed bank sign totaling 60 square feet, and a multi-unit retailing building with a total not to exceed 250 square feet of signage. The total square footage of signage requested is 590 square feet.**

**The Planning Board recommends Approval of the proposed signage package as presented within the submitted plans. The Planning Board noted that the proposed bank and the proposed restaurant are significantly setback from the roadway in excess of 130 feet. The**

**Planning Board feels that the signage package is reasonable giving the unique nature of this property. The Board finds that the applicant presents a realistic signage package for the property and is the least relief needed. The Planning Board feels that granting the special use permits will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.**

**No opposition present.**

**Motion made by Member Bart to grant 526 sq. ft. signage relief for a two sided pylon sign with 100 sq.ft signage on each side and a wall mounted sign - relief will be for total signage for the 4 units. Motion seconded by Member Lyle. Motion carried by all present.**

**Motion made by Member Barr to adjourn the meeting. Motion seconded by Member Bart. Motion carried by all present.**

**Respectfully submitted,**

**Ghislaine D. Therien**

**Ghislaine D. Therien**

**Recording Secretary**