

**Town of Lincoln**

**Zoning Board of Review**

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

**Minutes of February 2, 2016 Meeting**

**Present: David DeAngelis-Chair, John Bart, Lori Lyle, Stephen Kearns, John Barr, Mark Enander, Robert Oster, Town Solicitor Anthony DeSisto**

**Minutes**

**Motion made by Member Oster to accept the January 2016 Minutes as presented. Motion seconded by Member Kearns. Motion carried by all present.**

**Correspondence**

**None**

**Applications**

**Scott & Erica Wilson, 24 Steeple Lane, Lincoln, RI - Application for Special Use Permit to incorporate an in-law apartment for property located at 8 Christopher Drive Lincoln, RI.**

**AP 42, Lot 118 Zoned: RA 40**

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

**Property does not need any relief and is before this Board to incorporate an in-law apartment onto the property which is a permitted use.**

**Structure is a two story single family home with an in-law apartment and has a walk out basement.**

**Attorney DeSisto informed applicant that the in-law apartment would need to be occupied by a family member and the application would need to be renewed and recorded every five years. The apartment has its own garage and means of egress. There are no lot coverage issues. Property has a sewer easement on the lot.**

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

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Planning Board recommends Approval of the Special Use Permit to incorporate an accessory family dwelling unit within proposed single family home to be located at 8 Christopher Drive, Lincoln, RI. The applicant proposes to build an accessory family dwelling unit within a soon to be built single family home. The applicant took great care in the design of the proposed house and the accessory family dwelling unit so that the entire structure will look like a single family house from the roadway. The Planning Board feels that the special use permit will not alter the general character of the surrounding area and will**

**not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.**

**The Technical Review Committee pointed out to the applicant that an existing sewer easement is located on the property. This easement contains an active municipal sewer line. According to the submitted site plan, the applicant is proposing to install a driveway and plantings on top of this easement . The Public Works Director cautioned the applicant's representative that there may be a need in the future for the Town to access this sewer line. A problem may arise where the town would need to remove the driveway and plantings to unearth the access to this sewer.**

**The applicant's representative acknowledged the existence of the sewer easement and stated that his clients are willing to add language to their deed stating that the homeowners will be solely responsible for the cost to remove and replace any and all pavement, hardscape and landscaping located within the easement in the event that the Town needs access to the sewer line. The Planning Board is comfortable with this solution. However, the proposed language shall be reviewed and approved by the Town Solicitor. This review and approval shall be conducted before a building permit is issued.**

**No opposition present.**

**Chairman made a motion to approve the application with a condition**

**that no building permit will be issued until an agreement is reached regarding the sewer easement issue with regards to future repair work on site. He further stated:**

- That the Special Use is specifically authorized under this Ordinance. What applicant is proposing is a permitted use.**
- That the Special Use meets all the criteria set forth in this Ordinance authorizing such special use. Parking is not an issue with the proposed in-law apartment.**
- That the granting of the Special Use will not alter the general character of the surrounding area. Once completed the structure will look like a single family home.**
- That the granting of the Special Use will not impair the intent or purpose of this Ordinance nor the Lincoln Comprehensive Plan.**

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

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

**Respectfully submitted,**

**Ghislaine D. Therien**