

Town of Lincoln

Zoning Board of Review

100 Old River Road, Lincoln, RI

Minutes of October 4, 2016 Meeting

Present: David DeAngelis-Chair, John Bart, Lori Lyle, Stephen Kearns, John Barr, Mark Enander, Attorney Bruce Leach

Excused: Robert Oster

Minutes

Motion made by Member Bart to accept the September 2016 Minutes as presented. Motion seconded by Member Kearns. Motion carried by all present

Correspondence

None

Applications

Mark Donfrancesco, 509 Great Road, Lincoln, RI/1383 Atwood realty, LLC, 509 Great Road, Lincoln, RI Application for Special Use Permit for the construction of an 18 unit multi-family building with driveway and parking for property located at 304 New River Road, Lincoln, RI. AP 35, Lots 132 and 133 Zoning: RG 7

Mark Donfrancesco, 509 Great Road, Lincoln, RI/1383 Atwood Realty,

LLC, 509 Great Road, Lincoln, RI- Application for Dimensional Variance seeking lot width relief for a multi-family building located at 304 New River Road, Lincoln, RI.

AP 35, Lots 132 and 133 Zoning: RG 7

Represented by: William Burnstine, Esq., 627 Putnam Pike, Greenville, RI

Chairman read standards that need to be met at last month's meeting.

This application was continued from the September agenda with a request that applicant return with renderings for the proposed units. Applicant is seeking dimensional width relief of 104.26 feet. Artistic renderings of what the project will look upon completed were submitted as Exhibit #1. Testimony was completed and proposed units will fit into the neighborhood.

Witness

David D'Amico, D'Amico Engineering Technology, Inc.

Site will be handicap accessible with parking. The units will be for residential use only.

Special Use Permit

Members of the Technical Review Committee reviewed the submitted plans and application. The Planning Board recommends Approval of the Special Use Permit to construct of a multi-family building with driveway and parking for property located at 304 New River Road,

Manville, RI. The property is located between two multi-family condominium complexes. 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.

Dimensional Variance

Members of the Technical Review Committee reviewed the submitted plans and application. The Planning Board had a difficult time coming to a positive recommendation for the proposed dimensional relief. The Board felt that the relief requested was excessive. It was pointed out that the applicant did originally have the required frontage along a paper street that was abandoned by the applicant as part of their land development proposal.

The required frontage for any multi-family housing project is based on the number of proposed units. The Board wrestled with the excessive relief required for an 18 unit building. The Board felt more amenable to offering a positive recommendation if the number of proposed units were reduced.

At the August Technical Review Committee meeting, the applicant offered to reduce the number of proposed units to 17 units. This reduction will reduce the requested relief by 10 feet. The applicant also offered to increase the number of deed restricted affordable

units to a total of 6 units. The Planning Board agreed that these concessions were more amenable based on the amount of requested relief and based on the fact that originally, the project did have the required frontage along a paper street. Therefore, the Planning Board recommends Approval with Conditions of the dimensional variance. The conditions of approval is that the total number of proposed units is reduced to 17 units in which 6 of these units will be deed restricted as affordable according to the regulations set out by Rhode Island Housing.

No opposition present.

Motion made by Member Kearns to grant the Dimensional Variance seeking 104.26 feet of width relief. He further stated:

- The hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not due to the general characteristics of the surrounding area and is not due to a physical or economic disability of the applicant. There are wetlands located at the rear of the proposed site.**
- The hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain. There are no prior developments proposed for this land.**
- The granting of this variance will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan. There are**

multi-family condominiums located in the neighborhood.

- The relief requested is the least relief necessary.**
- The hardship amounts to more than a mere inconvenience.**

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

Motion made by Member Kearns to grant the Special Use Permit with conditions that of the 17 units 6 will be affordable housing with deed restrictions and lots 132 and 133 will be merged. He further stated:

- That the Special Use is specifically authorized under this Ordinance.**
- That the Special Use meets all the criteria set forth in this Ordinance authorizing such special use**
- That the granting of the Special Use will not alter the general character of the surrounding area**
- 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 and seconded by Member Bart to continue to the November agenda an open discussion regarding enforcement of Zoning decisions and procedures to include applications. Motion

carried by all present.

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