

**January 20, 2005**

**Town of Lincoln – Planning Board  
100 Old River Road  
Lincoln, RI 02865**

**Dear Honorable Members,**

**On January 19, 2005 at 3:30 pm the Technical Review Committee met to review the agenda items for the January 26, 2005 Planning Board meeting. In attendance were Al Ranaldi, Kim Wiegand, David Lund, Russell Hervieux, Ann Marie Either, Peggy Weigner, and John Faile (Lincoln Water Commissioner). Below are the Committee's recommendations:**

**Major Subdivision Review**

- a. Sunview Street Subdivision AP 13 Lot 31 Preliminary Plan Discussion /**
- Seminole Development Sunview Street Approval**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into two lots. The subdivision has been elevated to a major subdivision according to Section 1**

**Article B (41) request for a waiver from the Subdivision Regulations. The project received a Certificate of Completeness on November 1, 2004 in which the Planning Board has 120 days (March 1, 2005) to approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant. A public hearing was held on December 15, 2004.**

**The TRC and the Engineering Division reviewed the above proposed development according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering. While the proposed subdivision represents good land development, it requires one waiver. The subdivision requires a waiver from Section 1, Article B (10) – Buildable lot area. The eastern section of the lot contains slopes greater than 15%. While this situation would not be considered in the planning of larger subdivisions, the applicant has presented photos of the surrounding neighborhood. Based on the photos and a site visit, a large majority of the existing houses in the area have retaining walls or have been built into the slope.**

**Therefore, based on the submitted plans, the fact that this is a proposal for only one lot, and that a large majority of the surrounding houses either have retaining walls to address the slopes or are built into the slope, the Technical Review Committee feels that this proposed subdivision represents a unique situation in this specific area and recommends that the subdivision be approved. The TRC would also like to note the requirement of open space fee. The TRC also recommends that final approval be delegated to the**

**administrative officer.**

**b. Lipka Subdivision AP 38 Lot 10 Master Plan Discussion/  
- Olida Michaud Plante Trust 430 Old River Road Approval**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into three lots. The project has been elevated to a major subdivision due to the need of a waiver of the 2 ½:1 ratio requirement for each newly proposed lot. According to Section 1, Article B (41) of the Regulations, if a waiver is required for Minor Subdivision it is to be elevated and considered as a major subdivision. This issue was discussed with the applicant. The option of applying for two lots with no waivers as opposed to three lots with waivers was presented but the applicant chose to be considered as a major land subdivision.**

**On January 14, 2005, the Master Plan submittal for the above noted 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 Master Plan review must be made by May 14, 2005 or within such further time as may be consented to by the applicant.**

**The TRC and the Engineering Division have reviewed plans entitled**

**“Master Subdivision Plan for Ruth Lipka, Zoned RL-9, AP 38 Lot 10 located on Old River Road, Lincoln Rhode Island, prepared by Andrews Survey & Engineering, Inc. The plans contain all the information required for Preliminary Plan level as required in the September 2001 Town of Lincoln Land Development & Subdivision Regulations. The TRC has three concerns:**

**1. The issue of the 2 ½ to 1 waiver must be discussed and debated by the Planning Board. The TRC feels that due to the unique characteristics of the land and the make up of the surrounding neighborhood, the waiver would be in order and reasonable.**

**2. On the northern end of Lot 1, the Plan shows a drainage ditch. The applicant applied to and has received an approval from RIDEM Wetlands. A copy of the stamped plans was included.**

**3. Lot 3 is located at the top crest of the road. Sight distance may be a problem for a future resident. The TRC has requested a traffic study to determine the safe distance that the proposed driveway should be placed at for this lot. The applicant has designed Lot 3 with a proposed driveway as far north as possible. This configuration may be acceptable but the TRC needs it to be confirmed by a Traffic Engineer. Once the location of the proposed driveway is confirmed, this location should become a deed restriction for that lot. This recommendation should be made as a condition of approval.**

**4. Due to the configuration of Lot 3, the setbacks for Lot 2 and 3 are shown incorrectly. The setback should be fixed for the next meeting.**

**5. While public water and sewer is shown in the main road, no availability letters have been submitted for this project.**

**6. The seasonal high groundwater must be assessed by a soil evaluator and witnessed by the Engineering Division at the time that the lots are built on. However, based on elevation above the wetlands, the lowest floor of each of the proposed houses is likely to be well above any seasonal high groundwater elevation.**

**The Technical Review Committee reviewed and discussed the above noted concerns and feel that they can be easily addressed before the next meeting. The TRC also feels that the plans have been developed at the level of the preliminary plan stage. Therefore, the TRC recommends that the review process be combined and the project be reviewed as a Preliminary Plan. The TRC also recommends that if the applicant can successfully address the above noted concerns, that a Public Hearing be held at the next Planning Board meeting.**

**c. Vernon Estates AP 26 Lot 2 Pre-Application Discussion /  
- JCM, LLC Jenckes Hill Road Review of Project**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into two conventional single-family lots. The subject lot contains approximately 2.353 acres of land and is located in zoning district RA-40 (40,000 square feet – Residential Single Family). The proposed home is to be serviced by a public cul-de-sac road and public water and sewer. This project is in front of the Planning Board for a Pre-Application discussion and review. This stage of the review process does not require a**

**prescribed time frame. A road is proposed to service the new lot.**

**The Technical Review Committee and the Engineering Division has reviewed the above-proposed development according to the 2001 Land Development and Subdivision Regulation's pre-application submission standards and requirements and standard engineering practices. For assistance in developing the design, the following comments are offered to the applicant:**

**1. The Technical Review Committee has determined that the proposed subdivision does not meet the general intent of the 2001 Land Development and Subdivision Regulations as stated in Section 1, Article A or the specific standards stated in Section 5, and is not consistent with the Comprehensive Plan.**

**2. The Director of Public Works has determined that there is no benefit to the Town as a whole for a publicly maintained road with publicly maintained utilities which services only one residential dwelling. The Director of Public Works opposes the creation of this irregular subdivision.**

**3. The proposed subdivision for the development of one new residential house lot is requesting five waivers from the Subdivision Regulations. The waivers are: no sidewalks, cape-cod berms, 24' wide paved roadway, creating an irregular shaped lot, creating a through lot out of an existing confirming lot. While the Planning Board has the ability to waive some requirements of the Subdivision Regulations, the Board typically considers waivers only in existing unique situations that were not created by the developer. This is not**

**the case with this proposal.**

**4. Drainage from the Jenckes Hill Road flows from the south side of the road to the north side down to the low point of Jenckes Hill Road where the lot is located. No development can be allowed to impede or redirect the existing drainage from this point causing an adverse impact to abutting property owners or structures. Any design and/or placement of a driveway or access to the back of the lot for the proposed subdivision would have to ensure that there is no increase to or redirection of this flow.**

**5. The notes regarding drainage found in the top right hand corner of the plan do not constitute drainage calculations. It is not clear enough area has been reserved to mitigate runoff from the road. Other problems with the “retention” area are as follows.**

**A. No detention or retention structures are allowed to be constructed at or below the seasonal high groundwater elevation. This information is needed before a design can be initiated.**

**B. The runoff from a standard 30 foot wide road will require more area to mitigate volume peak rate of run off and ensure water quality standards are met.**

**C. No outlet to an existing watercourse or waterway is shown.**

**D. Stormwater must be retained or detained at the 100 year frequency level.**

**E. The TRC feels that once a properly designed detention basin is placed on the proposed lot that this lot may not meet the buildable lot area requirement.**

**6. The letter from the Natural Resources Services regarding wetlands**

**must be supplemented at the preliminary review level with a RIDEM verification stating that there are no wetlands on or immediately adjacent to the site, including jurisdictional areas. Land subject to RIDEM Wetlands as jurisdictional areas must be subtracted from the buildable area.**

**7. The area is known for high seasonal groundwater. Not only must any storm water mitigation facilities be set above the high seasonal groundwater, but also the grade of the basement and finished floors of any new dwelling must be set above it. Test pits must be analyzed by a RIDEM certified soil evaluator and witnessed by the Lincoln Engineering Division.**

**8. The new access way on Jenckes Hill Road will require a Physical Alteration Permit from RIDOT.**

**9. The road is undersized. Neither the fire/rescue department nor public works can support a narrower road than the standard 30 foot wide road in this location.**

**10. The public water service in the road must be looped and be located within the public roadway. No dead ends are allowed by the Lincoln Water Commission.**

**11. Although public sewers are available, the Town will not take ownership of private sewer connections. It is unclear whether this line is intended to be gravity or force main, public or private. A private line would require an easement. The Town will take over only gravity sewers designed per TR-16 standards.**

**12. All public utilities are to be installed under the road, not off road.**

## **Minor Subdivision Review**

### **a. Preserved Arnold Court Subdivision AP 20 Lot 4 Preliminary Plan Discussion /**

- Prev Court LLC Preserved Arnold Ct. Approval**

**This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into two lots. The plan received Certificate of Completeness on January 18, 2005 in which the Planning Board has 65 days (March 25, 2005) to approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant. The TRC and the Engineering Division reviewed the above proposed development according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering. The application fits all of the Town's regulations and represented good development of the area and is consistent with the Comprehensive Plan. The applicant has submitted all of the required information for preliminary plan submission. According to the plans, this property has received an approval from RIDEM Wetlands. A copy of the stamped plans will be required. The seasonal high groundwater was assessed by a soil evaluator and witnessed by the Engineering Division. Since there is no Town drainage system on**

**Preserved Arnold, the lots must be graded to drain away from the street and dry wells for the roofs constructed at the time that the lots are built on. The lowest floor of each of the proposed houses appears to be well above the seasonal high groundwater elevation.**

**Therefore, the Technical Review Committee recommends Preliminary Plan approval with conditions for this application. The conditions are that the two proposed houses are graded to drain away from the street and dry wells for the roofs are installed on each new house.**

**The TRC would like to note the requirement of open space fee. The TRC also recommends that final approval be delegated to the administrative officer.**

## **February Zoning Applications**

**Elaine Remillard, 7 Crestwood Lane, Lincoln, RI/Denise Costa, 89 Lonsdale Main Street, Lincoln, RI – Special Use Permit to conduct a daycare facility at 1572 Lonsdale Avenue, Lincoln, RI.**

**AP 4, Lot 62/63**

**Zoned: RG 7**

**Members of the Technical Review Committee visited the site and reviewed the submitted site plans and application. The revised site plans adequately address the concerns the TRC had about the parking requirements of the proposed special use and the present traffic circulation design. The TRC recommends approval of this special use permit. The TRC feel that the proposed special use**

**permit will not alter the general character of the surrounding area and will not impair the intent or purpose of the Zoning Ordinance, nor the Lincoln Comprehensive Plan. If this special permit application is approved, the TRC has concerns about having the parking located on one separate lot and the building on another. If this application is approved, the TRC would like to recommend that as a condition of approval, that the applicant merger the two lots into one.**

**Elaine Remillard, 7 Crestwood Lane, Lincoln, RI/Denise Costa, 89 Lonsdale Main Street, Lincoln, RI – Dimensional Variance to conduct a daycare facility at 1572 Lonsdale Avenue, Lincoln, RI.**

**AP 4, Lot 62/63**

**Zoned: RG 7**

**The proposed dimensional variance is to clear up the pre-existing nonconformance of the historic building. This building was built before present day zoning regulations. The TRC recommends approval of this application. The TRC finds that the relief requested 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.**

**Kiran Patel 33 Russell Avenue, Attleboro, MA/Gail Boudreau, 3Briar Hill Road, North Providence, RI – Special Use Permit for the manufacturing of epoxies, silicone and urethane at property located at 1 Industrial Circle, Lincoln, RI.**

**AP 1, Lot 167**

**Zoned: MG 05**

**Members of the Technical Review Committee visited the site and reviewed the submitted application. Unfortunately, due to the type of special use permit requested, the TRC was unable to determine if the special use will not impair the intent or purpose of the zoning ordinance or the Comprehensive Plan. The type of special use permit raised many questions about the proposed chemical process, federal, state, and local permitting of the chemicals, storage of the chemicals, and transportation to and from the building. The application did not offer any information to address these concerns. Therefore, the TRC can not offer a recommendation of the special use permit.**

**Quinville Fire Station, 861 Lower River Road, Lincoln, RI – Special Use Permit to expand apparatus quarters at existing fire station.**

**AP 29, Lot 85**

**Zoned: RA 40**

**The proposed special use permit is to clear up the pre-existing use of this building that is located within a residential zone. This building and special use were developed before present day zoning regulations. The TRC recommends approval of this application. The TRC finds that the relief requested 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.**

**Quinville Fire Station, 861 Lower River Road, Lincoln, RI – Dimensional Variance for front and rear yard setbacks to expand**

**apparatus quarters at existing fire station.**

**AP 29, Lot 85**

**Zoned: RA 40**

**The TRC recommends approval of this application. A site visit indicated that most of the older buildings in this area represent unique situations. Many of the older buildings were built before our present day zoning regulations and represent pre-existing, non-conforming lots by dimensions. The TRC finds that the dimensional variance will not alter the general character of the surrounding area and will not impair the intent or purpose of the zoning ordinance, nor the Comprehensive Plan.**

**Jonathan Gastel, 75 Strathmore Street, Narragansett, RI – Dimensional Variance for rear and side yard setbacks for the construction of a single-family residential home at 17 West Butterfly Way, Lincoln, RI.**

**AP 25, Lot 234**

**Zoned: RA 40**

**The Technical Review Committee recommends Approval of this application. The Technical Review Committee reviewed the submitted site plans and visited the site and determined that the single residential lot contains several limiting natural features that severally restrict the placement of a house and utilities. The applicant presented a realistic site layout that meets the intent of the zoning and would not be detrimental to the neighborhood.**

**Respectfully Submitted,**

**Albert V. Ranaldi, Jr. AICP**

**Administrative Officer to the Planning Board**