

October 20, 2005

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

Dear Honorable Members,

On October 18, 2005 at 3:00 pm, the Technical Review Committee met to review the agenda items for the October 26, 2005 Planning Board meeting. In attendance were Al Ranaldi, Kim Wiegand, Russell Hervieux, Peggy Weigner, John Faile, and Greg Mercurio. Below are the Committee's recommendations:

Major Land Development Review

a. Nafta Mills AP 34 Lot 34 Public Hearing – 7:15 p.m.

**A.F. Homes Old River Road Preliminary Plan Land Development
Discussion/Approval**

This application is under the 2005 Subdivision Regulations and represents the residential development of up to 44 condominium units. The subject lot contains approximately 7.66 acres of land and is located in zoning district RG-7 (Residential General). The proposed

condominium project is to be serviced by public water and sewer. The buildings will be serviced by a private driveway. No new roadway is proposed.

On August 12, 2005, the Preliminary 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 days (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 December 10, 2005 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations preliminary plan requirements and standard engineering practices. The plans reviewed were entitled "Preliminary Design Plan for Nafta Mills, 41 condominium Development, AP 34 Lot 14, Lincoln, Rhode Island," prepared for A.F. Homes by Cataldo Associates, Inc., dated September 8, 2005. Previously reviewed information includes a report entitled "Traffic Impact Study for the Proposed Nafta Mills Condominium Development," prepared for A. F. Homes, prepared by Cataldo Associates, Inc., November 15, 2004, revised April 26, 2005, a report entitled "Site Investigation Work Plan – Former Nafta Textile

Mill, 315 Old River Road,” prepared for RIDEM – Office of Waste Management, prepared by VHB/Vanasse Hangen Brustlin, In., October 2001.

Environmental – The property has a Settlement Agreement approved by RIDEM to remediate contamination left by the former mill; however, this Agreement allows reuse of the property as an industrial or commercial site. For residential use, the developers are required to obtain a new Settlement Agreement with RIDEM. This Agreement must be approved by RIDEM as a condition of preliminary plan approval.

Traffic – Access to the site is from a State Highway, Old River Road. The project will require a Physical Alteration Permit from RIDOT for access to the property as a condition of Preliminary Plan approval.

Sanitary Sewers – As noted on the plans, the existing flow metering station will be removed. The sewer easement must be kept clear of trees, shrubs, fences and/or other structures in order to provide clear access to the sewer for maintenance and repair. In addition, the existing line must be televised, evaluated and repairs made to it as necessary in order to ensure its property functioning. The development is required to obtain approval from the Narragansett Bay commission as a condition of preliminary approval from the Town.

Water – The Lincoln Water Commission (LWC) has been contacted. A letter from the superintendent states that public water is available, subject to final project approval.

Drainage – The seasonal high groundwater elevation was determined

by a certified soil evaluator. This information was included with the drainage report. It is recommended that the finished floors and basements of the condominiums units be required to be constructed above the elevation of the seasonal high ground water.

The proposal for storm water runoff mitigation is a unique, nonstandard solution for the Town of Lincoln. The systems will be owned and maintained by the condominium association. The Underground Retention System (URS) systems incorporate impervious geotech fabric enclosing stone beds with perforated pipes. According to the data from the certified soil evaluator, the seasonal high groundwater elevation will be below the bottom elevation of the two systems. However, if field conditions found during construction dictate otherwise, there will be a need to revise the design to counter the effects from buoyancy.

Since this is an unusual design, constant supervision will be required during installation of the URS. It is recommended that the developer be required to provide this construction oversight by an independent professional engineer. The contractor must have an engineer review and approve the geotech fabric before installation. The installation of this material must be specified and constantly supervised during construction.

Zoning Approval Conditions – Several conditions were placed on the zone change of this lot. The applicant has addressed each of the conditions. The TRC and the Planning Department have reviewed the preliminary landscape plan for the project and recommend that under story planting be incorporated into the buffer area required along Old

River Road. The under story plants should be placed out of the field of vision area associated with the complex's entrance.

Based on the presented information, the Technical Review Committee finds that the applicant has successfully addressed all concerns. Therefore, if there are no additional concerns presented during the public hearing, the Committee recommends Approval with Conditions. The Conditions are as follows:

- 1. The DEM Settlement Agreement and work plan must be approved by RIDEM and submitted to the Town for review as a condition of preliminary plan approval. No construction can be allowed until the work plan is approved.**
- 2. The project will require a Physical Alteration Permit from RIDOT for access to the property.**
- 3. The development is required to obtain approval from the Narragansett Bay Commission as a condition of preliminary approval.**
- 4. The project will require a RIDEM wetlands permit as a condition of approval.**
- 5. The developer is required to provide an independent professional engineer to oversee the installation of the URS systems for this project. Special attention must be given to the review and approval of the geotech fabric before installation.**

Remediation Bond – the Engineering Department calculated the cost of a remediation bond for the project. See attached memorandum from Kim Wiegand. The TRC reviewed the recommended bond amount and agree with the Town Engineer.

Major Subdivision Review

a. Lincoln Meadows II AP 45, Lots 2, 181 & 353 Preliminary Plan Discussion/

Angellin, LLC Angell Road Approval

On June 23, 2004, the applicant received Master Plan approval for their twenty-one lot single family subdivision. According to Section 17-G for the 2001 Subdivision Regulations, “Vesting. The approved master plan shall be vested for a period of one (1) year, with a one (1) year extension possible upon the written request of the applicant, who must appear before the Planning Board for an annual review. Vesting may be extended for a longer period, for good cause shown, if requested by the applicant prior to the expiration of the deadline, in writing, and approved by the Planning Board. Master Plan vesting shall include the zoning requirements, conceptual layout and all conditions as shown on the approved plan drawing and supporting materials.” Unfortunately, the applicant did not realize that their Master Plan Approval ran out. On September 28, 2005, the Planning Board voted to extend the applicant’s Master Plan approval for one year starting from the original date of Master Plan approval. Therefore, the applicant has until June 23, 2006 to secure Preliminary Plan approval.

On October 18, 2005, the Preliminary 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 Preliminary Plan review must be made by February 14, 2006 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations preliminary plan requirements and standard engineering practices. The subdivision is vested under the September 2001 Town of Lincoln Land Development & Subdivision Regulations. The subdivision submittal is entitled “Preliminary Design Plan for Lincoln Meadows II,” 20-lot Subdivision, Zoned RS-20, AP 45 Lots 1, 2, 181 & 353 located at Angell Road, Lincoln, Rhode Island, prepared for Angellin, LLC by Cataldo Associates, Inc., dated September 16, 2005. Additional information was received and reviewed on September 20, 2005 included a “Drainage Report” revision dated August 2004. Below are the TRC comments.

Traffic/road design – The intersection of the proposed road is opposite Maple Avenue. The plans must insure that proper sight distances are available at the proposed intersection. A letter report

will be required describing this analysis. The detailed plans for the proposed bridge must be reviewed and approved by the Limerock Fire Department.

Groundwater and storm water – The only section of roadway that requires high velocity grates on the catch basins are on the 8% grade.

On the 1% slope, a regular grate must be specified. Engineering recommends that as a condition of subdivision approval, no finished floors or basements shall be allowed to be constructed into the seasonal high groundwater elevation. A note to this effect must be added to the preliminary plans.

Lot Layout – Proposed lot number 18 uses a portion of what is presently preliminarily approved as Lot 7 in the subdivision Lincoln Meadows, a seven lot subdivision, in order to comply with the minimum buildable area requirements. The preliminary approval of the seven lot subdivision must be amended in order to include the land in a different subdivision. This concern was pointed out during Master Plan approval. Proposed parcel number 16 contains a drainage outfall and infiltration swale. An easement to the Town for drainage must be shown for this lot.

Environmental – the developer has a pending application for alteration of wetlands with RIDEM. Approval of this subdivision must be granted on the condition of receiving this approval with only minor changes to the proposed plans as presented.

Sanitary Sewers – Public sewers are available to this project for gravity flow sanitary sewers. Only gravity sewers in the public road will be owned and maintained by the Town. The Director of Public

Works and staff have reviewed the request for an additional pump station to service lots that can not function by gravity and have rejected the applicant's request for a new pump station. The Town will not accept any additional pump stations in any ownership form. Due to this determination, the TRC would ask that the applicant research and develop alternate sanitary sewer system for these lots. The TRC recommends that the applicant explore individual septic disposal systems (ISDS).

Utilities – Public water is available to the proposed development. According to superintendent of the Lincoln Water Commission (LWC), the subdivision's water line has preliminary approval, subject to final construction plan approval.

Final construction plans – The following will be required for approval of the final construction plans.

- 1. Plantings associated with the drainage shall be the responsibility of the developer as a condition of the subdivision construction. Other plantings required by the RIDEM Wetlands permit on individual lots will be the responsibility of the property owner under the building permit.**
- 2. Final public water approval of the plans by the LWC.**
- 3. The final plans must include town standard details and other revisions as specified by the Engineering Office. The separate memo describes these items.**

The Technical Review committee recommends that the applicant

address the above noted concerns with special attention given to the sanitary sewer system. The TRC can not recommend moving forward in the Preliminary Plan process until this issue is resolved.

November Zoning Applications

Miguel & Elizabeth Simao, 11 Riverside Drive, Lincoln, RI – Dimensional Variance for front yard setback for the construction of a second story and farmer’s porch.

AP 13, Lot 92 Zoned: RL9

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. During the October Zoning Board meeting, the applicant was asked to revise their plans and resubmit them to the Zoning Official for further review. The Zoning Official did not receive revised plans. Therefore, the TRC recommends Denial of this application. The Committee examined the originally submitted plan and setback requirements and feels that the application does not meet the requirements for a dimensional variance, does not conform to the surrounding neighborhood, and is not the least relief required.

Lincoln Point, LLC, 2547 West Main Road, Portsmouth, RI/Cloverleaf III, LLC, 640 George Washington Highway, Lincoln, RI – Special Use

Permit for the construction of a Senior Residential Community and medical office building on property located on George Washington Highway, (Route 116), Lincoln, RI.

AP 31, Lots 38 & 40 Zoned: BL5

Members of the Technical Review Committee visited the site and reviewed the submitted project plans and application. The Technical Review Committee recommends Approval of this application. Based on a site visit, the Committee feels that the general character of the area has evolved into a mixed-use area made up of light commercial and multi-unit housing developments. The TRC finds that the granting of a special use permit 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.

As outlined in the application, the proposed development is for a 195 unit senior residential community. The TRC reviewed the public utilities in the area for their capacity to handle this increase in additional density. Based on a general review and knowledge of the systems in the area, the TRC feels that these systems can adequately accommodate the proposed density. If approved, this project would have to be reviewed as a major land development project by the Planning Board. This review will focus on the capacity on the existing public utilities systems and their ability to accommodate the proposed density. The following are concerns that will be reviewed by the TRC and the Planning Board.

1. Drainage/Environmental – The proposed project must receive a

permit from the RIDEM Wetlands program. The drainage discharging to George Washington Highway must be approved by RIDOT.

2. Traffic – The proposed project must receive a physical alteration permit from the RIDOT for the access to Old Louisquisset Pike and the land use alteration for the access to George Washington Highway.

3. Utilities – The proposed project must obtain approval from the Narragansett Bay Commission for sanitary sewer discharge. The developer is responsible for any modifications to the private pump station.

4. Public Water – The Lincoln Water Commission must approve the water service.

5. Fire Suppression – The Albion Fire Department must approve the development's water supply for fire suppression.

Lincoln Point, LLC, 2547 West Main Road, Portsmouth, RI/Cloverleaf III, LLC, 640 George Washington Highway, Lincoln, RI – Dimensional Variance for parking spaces and building height relief for a proposed Senior Residential Community and medical office building on property located on George Washington Highway (Route 116), Lincoln, RI.

AP 31, Lots 38 & 40 Zoned: BL 5

Members of the Technical Review Committee visited the site and reviewed the submitted project plans and application. The Technical Review Committee recommends Approval of this application. Based on a site visit, the Committee feels that the subject lot contains

several limiting natural features that restrict the placement of buildings and utilities. The Technical Review Committee feels that the applicant presents a realistic site layout that meets the intent of the zoning and would not be detrimental to the surrounding commercial neighborhood. The TRC feels 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.

Holiday Preserve – AP 14 Lot 90 – Maintenance Bond

The Engineering Department calculated the cost of a maintenance bond for the above noted project. See attached memorandum from Kim Wiegand. The TRC reviewed the recommended bond amount and agree with the Town Engineer. Therefore, the TRC recommends Approval of the maintenance bond for Holiday Preserve subdivision.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

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Administrative Officer to the Planning Board