

March 17, 2006

Town of Lincoln – Planning Board

100 Old River Road

Lincoln, RI 02865

Dear Honorable Members,

On March 9, 2006 at 2:00 pm, the Technical Review Committee met to review the agenda items for the March 22, 2006 Planning Board meeting. In attendance were Al Ranaldi, Russell Hervieux, Peggy Weigner, Kim Wiegand, John Faile, and Greg Mercurio. Below are the Committee's recommendations:

Major Land Development Review

a. Lincoln Park AP 42 Lot 24 Consideration of Master Plan

- UTGR Louisquisset Pike Approval

**b. Special Care Residence AP 41 Lot 44 Public Hearing – 7:15 PM -
Master /**

**- H.L.George Development Corp. Albion Road Preliminary Land
Development**

Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the commercial development of a single lot containing 4.39 acres. This project is in front of the Planning Board for a Master Plan discussion and review. On January 17, 2006, 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 17, 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 2005 Land Development and Subdivision Regulations master plan and preliminary plan requirements and standard engineering practices. The plans reviewed were entitled "Preliminary Submission – Albion Road – Special Care Facility, Located on Albion Road, AP41 Lot 44", sheets 1-8, prepared for H.L.George Development Corporation by DiPrete Engineering Associations, Inc., dated January 2003 and revised through January 19, 2005. The proposed project has been before the Zoning Board and the Planning Board several times during 2003 for review for a special use permit.

The TRC has reviewed the submitted plans against the Zoning

Board's approval and the conditions and our land development regulations. The developer and his engineers have met with the staff several times during the design of the project. The submitted plans successfully address all of the committees concerns.

Site Layout

This is the commercial development of one lot. The developer has successfully met all of the Town requirements. Special attention has been given to fire rescue accessibility around the building.

Environmental

A RIDEM wetland permits will be needed for this project.

Sanitary Sewers

Sanitary sewers are available from a new force main installed into Albion Road. The application will install a private pumping station to feed into the public force main.

Public Water Service

Municipal water service is available to the project. The Lincoln Water Commission will have to update its preliminary approval of this project.

Drainage

The site drains to mainly to wetlands on site. The drainage facilities include mitigation of water quality and peak rate of flow. The

proposed drainage system successfully addresses all of the concerns of the TRC.

The applicant is in front of the Planning Board for a Public Hearing. If no other concerns are presented at the public hearing, the Technical Review Committee supports the applicant's request to have the review stages combined and further recommends Approval with Conditions of the Preliminary Plan for this project. The following items are the proposed conditions of approval.

- 1. A RIDEM wetland permits will be needed for this project.**
- 2. Lincoln Water Commission will have to update its preliminary approval of this project.**

c. 143 Reservoir Avenue AP 6 Lot 437 Public Hearing – 7:45 PM - Master /

- Joseph Kishfy Reservoir Avenue Preliminary Land Development Discussion / Approval

On February 14, 2006, the Master Land Development 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 master land development 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 Land Development Plan review must be made by June 14, 2006 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division reviewed the above proposed land development project according to the 2005 Land Development and Subdivision Regulations master land development plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled "Site Plan" AP 6 Lot 437, Reservoir Avenue in Lincoln, Rhode Island, prepared for Joseph Kishfy by Marsh Surveying Inc., dated July 6, 2005.

Wetlands/Drainage

As measured on the plans, Spectacle Pond is within fifty feet of the proposed work. Therefore a permit from RIDEM Wetlands Section is required for land development approval as a condition of the approval. Per the Town ordinance, as well as RIDEM regulations, a sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site. It does not appear that there is a significant increase of impervious covering from the new construction; however, the Town requires that the owner install a dry well to capture the roof runoff. The existing swale to the pond should be enhanced as a filter strip to mitigate potential water quality issues.

Utilities

The new building is proposed to be connected to public water and sewer. The sewer supervisor has stated that public sewers belong to the City of Pawtucket. Approval for connection to their sewers is required as a condition of the approval. The applicant must obtain a road opening permit before construction from the Town of Lincoln if the proposed sewer service connection is a new, separate connection. The applicant must obtain a permit from Narragansett Bay Commission for the sewer flows. The applicant must obtain approval for a second, separate water service to the proposed new building from the Lincoln Water Commission (LWC) as a condition of the approval. The LWC submitted a letter to the Town stating that the existing 1 ½” service line may have to be upgraded to accommodate the additional units. The LWC has some concern whether the amount of water available through the old dead end six inch main that serves this area is adequate for the increase domestic and fire flows. The Commission requests that a Rhode Island registered engineer submit an analysis to determine if this part of the system can support the additional proposed development.

This project is in front of the Planning Board for a Public Hearing. The Technical Review Committee did not offer any new comments on this land development at this time because the Zoning Board has not rendered a decision on the requested Special Use permit. The TRC recommends to the applicant that they address the above noted concerns and any public comments offered at the Public Hearing and return to the Planning Board in April.

d. Nafta Mill AP 34 Lot 14 Final Land Development

- A. F. Homes Old River Road Plan Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the residential development of up to 41 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 October 26, 2005, the project received Preliminary Plan approval with conditions.

The Conditions are as follows:

- 1. The RIDEM 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.

To date, the applicant has successfully supplied the Town with the Physical Alteration Permit from RIDOT for access to the property, the Narragansett Bay Commission permit for the project, and an approved RIDEM wetlands permit. The applicant has expressed to the Town and to the Planning Board that they will supply an independent professional engineer to oversee the installation of the URS systems for this project.

The Town is still waiting for a RIDEM approval letter for the proposed DEM Settlement Agreement and work plan. The applicant has supplied the Town with a letter stating that this approval should be in hand no later than Tuesday, March 21, 2006. If the Town does not receive and review this approval letter, the applicant will ask for a continuance to the April Planning Board meeting.

Major Subdivision Review

a. Riverfront Estates AP 45 Lot 436 Preliminary Plan Discussion /

- DOSCO Inc. Angell Road Approval

This application is under the 2001 Subdivision Regulations and represents the subdivision of one lot into five conventional

single-family lots. The subject lot contains approximately 6.36 acres of land and is located in zoning district RA-40 (40,000 square feet – Residential Single Family). The proposed homes are to be serviced by a public cul-de-sac road and public water and sewer.

On January 17, 2006, 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 May 17, 2006 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The submission included a plan entitled “Preliminary Plan Submission for Riverfront Major Subdivision,” Angell Road, AP 45, Lot 436, in Lincoln, Rhode Island, prepared for the owner/applicant Dosco Inc. by Commonwealth Engineers & Consultants, Inc., dated December 2005. Also received was a report entitled “Storm Water Management Analysis” for Riverfront Estates in Lincoln, RI, prepared by the above consultant for the above owner November 2005. A traffic study was previously reviewed.

Based on the above referenced documents and plans, the Technical Review Committee feels that the applicant has successfully addressed the subdivision regulations and all of the concerns and comments of the Planning Board, Technical Review Committee and the public. Therefore, the TRC recommends preliminary plan Approval with Conditions. The following items are the recommended conditions of approval:

- 1. There is a note on the plan specifying that finished floors or basements must be set above the seasonal high ground water elevation. This must be a condition of approval for the subdivision.**
- 2. The proposed subdivision must obtain a RIDEM Wetlands Preliminary Determination permit as a condition of approval for subdivision.**
- 3. Onsite drainage dry wells, "Cultech" units are proposed to collect roof drainage from the houses. This must be a condition of approval for the subdivision.**
- 4. The Lincoln Water Commission (LWC) has communicated to the Town that public water service is available to this project and can receive preliminary approval for water line design, subject to final construction plan approval. This must be a condition of approval for the subdivision.**

**b. Sables Road Subdivision AP 44 Lot 33 Master Plan Extension
- E.A. McNulty Angell and Lantern Road**

Members of the Technical Review Committee reviewed the submitted request for a time extension of the Master Plan approval granted on May 25, 2005. The TRC recommends Approval of the application for a time extension of one additional year. The Committee feels that the applicant has been diligently working on the preliminary plan engineering process and plans for this subdivision but have been delayed as a result of utility issues and pending wetland issues with the Department of Environmental Management.

c. Winterberry Estates Subdivision AP 45 Lot 335 Preliminary Plan Extension

- George E. & Charlotte Tootall Winterberry Road

Members of the Technical Review Committee reviewed the submitted request for a time extension of the Preliminary Plan approval granted on March 24, 2004. The applicant states that they were unaware that the Preliminary Plan approval expired. The Committee reviewed the project and the Engineering division confirmed to the TRC that significant site work has been completed and only minimal work is left to complete. The TRC feels that the applicant has been diligently working on the construction of the site improvements but was delayed due to issues related to the contractor. Therefore, the TRC recommends Approval of the Preliminary Plan Extension to August 1, 2006. The applicant states that he will have the project completed by

this time.

**d. Lincoln Meadows AP 45 Lot 1 Preliminary Plan Extension
- Angellin, LLC Angell Road**

Members of the Technical Review Committee reviewed the submitted request for a second time extension of the Preliminary Plan approval originally granted on March 24, 2004. On September 28, 2005, the Planning Board granted a time extension for one year from the date of the original approval. Therefore, the extension will expire on March 24, 2006. The Committee feels that the applicant has been diligently working on the construction of the site improvements but have been delayed due to the weather. Therefore, the TRC recommends Approval of the application for a second time extension of one additional year to March 24, 2007.

Minor Subdivision Review

**a. Lincoln Garden Estates AP 43 Lot 20 & 21 Preliminary Plan Discussion /
- Steven, Stuart, & Cara Popovich Old Louisquisset
Pike Approval**

This application is under the 2005 Subdivision Regulations and represents the subdivision of two lots into five conventional single-family lots. Four of the five lots will be accessed from a new cul-de-sac. All five lots will be serviced by public water and sewer. The subject lots contain approximately 5.28 acres of land and are

located in zoning district RS-20 (20,000 square feet – Residential Single Family).

On March 15, 2006, the Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations – Section 14(G), “if no street creation or extension is required, the Planning Board shall approve, deny, or approve with conditions, the preliminary plan within sixty five (65) days of certification of completeness, or within such further time as is agreed to by the applicant and the Board, according to the requirements of Section 8 herein. If a street extension or creation is required, the Planning Board shall hold a public hearing prior to approval according to the requirements of these regulations at Section 18(c) & (d) and shall approve, deny, or approve with conditions, the preliminary plan with conditions within ninety five (95) days of certification of completeness, or within such further time as is agreed to by the applicant and the Board, according to the requirements of Section 27.” Therefore, a decision on the Preliminary Plan review must be made by June 18, 2006 or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division reviewed the above proposed subdivision according to the preliminary plan requirements and standard engineering practices. The new plans reviewed were entitled “Drainage & Utility Plan and Grading & Layout Plan,” for Lincoln Garden Estates, Old Louisquisset Pike, AP 43 Lots 20 & 21, Lincoln, RI, prepared for Steven Popovich by Thalmann Engineering Co., Inc. The set of plans are dated January

2006. A document entitled, “Master Plan- Development Impact Narrative” prepared for Steven Popovich by the above engineer dated March 2005 was previously reviewed. The recent submission was reviewed and the following concerns were noted by the TRC.

Site Plan

There is no indication of any existing wells or septic systems on or within 200 feet of the property. These need to be located and shown on the plans, particularly any serving the existing residence on Lot 21. If none are found, then a note that no wells or septic systems were found within 200 feet must be listed on the plans.

Utilities

The subdivision is proposed to be connected to public water and sewers via existing lines in Old Louisquisset Pike. The Lincoln Water Commission (LWC) has notified the Town that public water is available. The LWC requires that individual service lines be installed from the water main in Old Louisquisset Pike to each building. According to the LWC, “Any buildings located more than 90 feet from the front property line will need a meter pit and all installations will require a backflow preventor and expansion tank.” The nearest public sanitary sewers are in Old Louisquisset Pike. The sewers are owned by the Narragansett Bay Commission (NBC). Gravity sanitary sewers are proposed to connect to the sewer line NBC. Approval from NBC will be required for sewer service to the project.

Roads/Traffic

Access is proposed from Old Louisquisset Pike, a State highway. A Physical Alteration Permit from RI Department of Transportation (RIDOT) is required. The nearest intersection is at Evergreen Road which is more than 150 feet away. The road crown is shown as 3%. The standard in Lincoln is 2%. The applicant will have to revise the road crown or request a waiver. No sidewalks are proposed. The applicant will have to add in sidewalks or request a waiver.

Wetlands and Drainage

The proposed detention basin for the development would discharge towards a wetland behind the existing house on Lot 20, adjacent to the proposed subdivision. RI Department of Environmental Management (RIDEM) Wetlands approval will be required. An erosion and sediment control plan will be required by both the Town and RIDEM. Access to the detention basin from a public right of way must be included in the design plans. Landscape maintenance of the detention basin is to be the responsibility of the property owner on which the basin is located. Structural maintenance will be the responsibility of the Town. A condition of any approval must also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as determined by a certified soil evaluator. This must be put in a note on the plans. The soil evaluation was witnessed by the Town Engineer.

The Technical Review Committee feels that the above noted concerns

are minor in nature and can be easily addressed by the applicant. Therefore, the Technical Review Committee recommends that the applicant address the above noted concerns and proceed to the public hearing stage of the review process at the April meeting.

April Zoning Applications

Joseph Kishfy, 22 Dennell Drive, Lincoln, RI – Special Use Permit to add six new dwelling units to six existing units for a total of twelve units, two of which shall be eligible for low or moderate income dwelling units on property located at 143 Reservoir Avenue, Lincoln, RI.

AP 6, Lot 437 Zoned: RG 7

Members of the Technical Review Committee visited the site and reviewed the submitted project plans and application. The TRC recommends Approval of this application. Based on a site visit, the TRC feels that the applicant presents a realistic site layout that meets the intent of the zoning and would not be detrimental to the surrounding residential neighborhood. The Technical Review Committee feels that the 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.

Joseph Kishfy, 22 Dennell Drive, Lincoln, RI – Dimensional Variance for lot width relief of property located at 143 Reservoir Avenue, Lincoln, RI.

AP 6, Lot 437 Zoned: RG 7

The proposed dimensional variance is required due to the recent zone change of the above noted parcel. When the parcel was zoned BL-0.5, it met all of the zoning requirements. Recently, the parcel was changed to RG-7 which caused the existing lot width to be nonconforming to the new zone requirements. Members of the Technical Review Committee visited the site and reviewed the submitted project plans and application. The TRC recommends Approval of this application. The Technical Review Committee 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.

Albion Place, LLC, 6 Blackstone Valley Place, Lincoln, RI – Use Variance for the construction of six new dwelling units on property located at 2 Main Street, Manville, RI

AP 32, Lot 44 Zoned: BL 05

Members of the Technical Review Committee visited the site and reviewed the submitted project plans and application. The TRC recommends Approval of this application. The proposed project

represents the expansion of an existing multi-family use on the parcel. Based on a site visit, the TRC feels that the applicant presents a realistic site layout that meets the intent of the zoning and would not be detrimental to the surrounding residential neighborhood. The Technical Review Committee feels that the use 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 Lincoln Comprehensive Plan.

**Bank RI, One Turks Head Building, Providence, RI – Dimensional Variance for front yard setback to subdivide property to spin-off excess land to current coffee shop owner and retain remainder land area for eventual merger with adjoining bank operations center for property located at 629 George Washington Highway, Lincoln, RI.
AP 28, Lot 51 Zoned: BL 05**

Members of the Technical Review Committee visited the site and reviewed the submitted project plans and application. As stated above, the dimensional variance is needed for relief from the frontage standard to subdivide property to spin-off excess land to current coffee shop owner and retain remainder land area for eventual merger with adjoining bank operations center for property located at 629 George Washington Highway, Lincoln, RI. This subdivision has received Master Plan approval by the Planning Board on February 22, 2006. The Technical Review Committee recommends Approval with Conditions. The applicant has presented a realistic site development

proposal that will ultimately merge the back lot into the adjoining bank lot. The TRC feels that proposed temporary nature of the landlocked lot 1 is not guaranteed. In order not to create potential problems in the future, the following (potentially defeasible) easements must be granted in the private 40 foot wide right of way shown on the presented plans:

- 1. Vehicular/pedestrian access to and from George Washington Hwy for lot 1 across lot 2.**
- 2. Vehicular/pedestrian access to and from George Washington Hwy for lot 3 across lot 2.**
- 3. Sanitary sewer connection for lots 2 and 3 through lot 1.**
- 4. Water service for lot 1 through lot 2.**

If the Zoning Board feels fit to approve this dimensional variance request, the above noted easements can be reviewed by the Town during the Planning Board preliminary plan review stage.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

Administrative Officer to the Planning Board