

**November 10, 2006**

**Town of Lincoln – Planning Board**

**100 Old River Road**

**Lincoln, RI 02865**

**Dear Honorable Members,**

**On November 8, 2006 at 2:30 pm, the Technical Review Committee met to review the agenda items for the November 15, 2006 meeting of the Planning Board. In attendance were Al Ranaldi, Kim Wiegand, Diane Hopkins, and Peggy Weigner. Below are the Committee's recommendations:**

**Major Subdivision Review**

**a. Sables Road Subdivision – Phase 2 AP 44 Lot 33 Preliminary  
Plan Discussion /**

**- Leslie W. Sables Lantern & East Lantern Rd Approval**

**This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 17 single-family residential lots. The project is proposed to be reviewed in two phases. Phase one represents the development of 9 single-family residential lots and one new cul-de-sac. Phase two represents the development of 8**

**single-family residential lots. One subdivision waiver is requested. The Planning Board is reviewing Phase 2.**

**On August 1, 2006, the Phase 2 - 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 Phase two of the Preliminary Plan must be made by November 28, 2006 or within such further time as may be consented to by the applicant.**

**The Technical Review Committee and the Engineering Division reviewed the proposed development according to the Lincoln Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The latest submission included a set of 14 sheets entitled “Preliminary Plan Submission for Phase 2, Sables Road Subdivision”, Lincoln Rhode Island, AP 44 Lot 33, prepared for Leslie W. Sables by Commonwealth Engineers & Consultants, Inc., dated July 7, 2006. Additional material previously received included a report entitled “Stormwater Management Analysis” revision date October 28, 2005 prepared by the above consultant for the above applicant. Soil evaluation logs performed by a certified soil evaluator were previously reviewed as well. A copy of the RIDEM Wetlands stamped approved plans have been received by the Engineering Office. A**

**public hearing was held on October 18, 2006. Below are the TRC recommendations for this project.**

### **Wetlands**

**The proposed subdivision has received an approval from Department of Environmental Management (RIDEM) Wetlands dated July 19, 2006 which included improvements to East Lantern Road and Lantern Road in Lincoln. The RIDEM Wetlands permit included both Phases 1 and 2.**

### **Drainage**

**There are existing drainage problems and seasonal high groundwater in the area of the project. The Town reviewed the drainage report for the proposed development. Phase 2 contains a swale in front of the proposed lots on East Lantern Road to be maintained by the individual property owners as a restriction on their deeds. This deed restriction must be approved by the Town DPW and Town Solicitor.**

### **Groundwater**

**Groundwater is a significant problem in this area. No form of subdrains will be allowed to drain onto the road or abutting properties. A certified soil evaluator will be required in order to obtain information so that the houses are set above the seasonal high ground water elevation. 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. A**

**note is shown on the plan addressing this issue.**

### **Sanitary Sewers**

**The design as well as the ownership, maintenance and operation of the proposed pumping station will be through a private homeownership association. The association agreement must be approved by the Town solicitor as a condition for approval. The design and specifications for the pump station must be approved by the sewer supervisor and the Public Works Department. The force main and gravity sewers in the public road and utility easements are proposed to be owned and maintained by the homeowners association, but accessible to the Town in case of an emergency. The developer must also provide a generator for the Rollingwood pump station, as agreed in discussions May 2006 between the Public Works Department, the applicant and his attorney, as a part of mitigating the impact to the existing area collection system. This item was included in Phase 1 but has not yet been completed. Preliminary Plan approval will require approval from Narragansett Bay Commission for sewer discharges as a condition of approval.**

### **Public Water Service**

**John Faile, superintendent of the Lincoln Water Commission (LWC) stated that he is in the process of negotiating a waterline design with the developer. The homeowners association will be responsible for water lines within the development. The Town has not yet received any written approval for the project from the LWC. Preliminary**

**approval will require approval from the LWC as a condition of approval.**

## **Traffic**

**Phase 2 includes improvements to Lantern and East Lantern Roads and an easement to provide adequate sight distance for vehicles turning the corner on Lantern Road at East Lantern Road. The easement description must describe the property owners' and the Town's responsibilities. During the Public Hearing held on October 25, 2006, several abutters expressed concern regarding the anticipated traffic impacts to the existing road and neighborhood. One neighbor submitted a written letter detailing his concerns. Another neighbor attended the Technical Review Committee meeting and presented the Committee with pictures of the existing roadway. The TRC discussed the benefits of the proposed off site improvements that the developer will provide at his own cost to help mitigate any traffic concerns. During this discussion, the TRC and the neighbor developed three additional conditions of approval. These conditions of approval are designed to help mitigate the impact to the existing neighborhood during construction. The recommended conditions are as follows:**

- 1. During construction, all construction vehicles and equipment should use the utility easement, a proposed gravel access road, that runs parallel to East Lantern Road for access to all site improvements as much as possible,**
- 2. During construction, the developer shall locate an equipment and**

**materials staging area on site. This staging area shall be accessed from the utility easement, and**

**3. During construction, the developer shall assign a field person to communicate on an as-needed daily basis with all the neighbors to keep the road clear, coordinate the schedule of work, and control traffic.**

### **Site Design**

**One subdivision waiver is requested for Lot 10 which contains less than 40,000 square feet, the minimum buildable area, due to wetlands and sewer and water easements. One of the easements is the sight distance clearance. This is not an area which would be built on in any case. The other easement, for water and sewer, was moved out of the perimeter wetlands in accordance with RIDEM comments on the permit application. The TRC recommends granting a waiver for buildable area for this particular situation due to the Town's request for sight distance clearance at the corner of the existing road.**

**Based on the above noted concerns and concerns presented by the public during the Public Hearing held last month, the Technical Review Committee recommends Approval with Conditions. The conditions of approval are as follows:**

**1. No finished floors or basements shall be constructed at or below the seasonal high groundwater elevation. A note is shown on the plan addressing this issue.**

**2. The ownership, maintenance and operation of the proposed**

**pumping station will be through a private homeownership association. The association agreement must be approved by the Town solicitor as a condition for approval.**

**3. The design and specifications for the pump station must be approved by the sewer supervisor and the Public Works Department.**

**4. The developer must also provide a generator for the Rollingwood pump station, as agreed in discussions May 2006 between the Public Works Department, the applicant and his attorney, as a part of mitigating the impact to the existing area collection system.**

**5. Narragansett Bay Commission approval for sewer discharges.**

**6. Lincoln Water Commission (LWC) approval for waterline design and maintenance.**

**7. A sight distance easement to provide adequate sight distance for vehicles turning the corner on Lantern Road at East Lantern Road.**

**8. During construction, all construction vehicles and equipment should use the utility easement, a proposed gravel access road that runs parallel to East Lantern Road. for access to all site improvements as much as possible.**

**9. During construction, the developer shall locate an equipment and materials staging area on site. This staging area shall be accessed from the utility easement.**

**10. During construction, the developer shall assign a field person to communicate on an as-needed daily basis with all the neighbors to keep the road clear, coordinate the schedule of work, and control traffic.**

## **Correspondence/Miscellaneous (\*)**

### **a. Cullen Avenue Subdivision AP11 Lots 49 & 85 Final Plan Approved & Recorded**

**This project represents the subdivision of two residential lots into three lots. On November 2, 2006, the applicant successfully addressed all of the preliminary plan approval conditions. Therefore, final plan was issued and the final plan was recorded.**

### **b. Winterberry Estates AP 45 Lot 335 Maintenance Bond Reduction**

**The developer has successfully finished several public improvements as they relate to this subdivision. The engineering division has reviewed the amount of the existing Maintenance Bond with the estimated amount of the outstanding public improvements and determined that the existing Maintenance Bond can be reduced. See attached memo from the engineering division.**

## **Zoning Applications (\*) – December Zoning Applications**

**Inland American Retail Management LLC, 2901 Butterfield Road, Oakbrook, IL – Special Use Permit to increase tenant and ownership square footage signage on exterior of property located at 622 George Washington Highway, Lincoln, RI.**

**AP 41, Lot 7 Zoned: BL 05**

**The application was not available for the Technical Review Committee to review. Therefore, no recommendation can be offered.**

**David Garneau, 1 DuCarl Drive, Lincoln, RI/Steven & Joann Enauder, 9 Blue Mist Drive, Manville, RI – Dimensional Variance seeking relief for the construction of an addition.**

**AP 39, Lot 69 Zoned: RS 20**

**The Technical Review Committee recommends Approval of this application. The TRC reviewed the submitted site plans and visited the site. The TRC determined that the layout of the existing single family limits the owners to the area in which they can locate an in-law addition. This corner lot also presents a unique building envelope that limits the area to build. The Committee finds that the applicant presents a realistic site layout that meets the intent of the zoning and would not be detrimental to the neighborhood.**

**Anthony Marchetti, 10 Morning Star Court, Lincoln, RI – Dimensional Relief seeking relief for the construction of an addition.**

**AP 26, Lot 238 Zoned: R 40**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The TRC recommends Denial of the application for a dimensional variance. The Committee feels that the application does not meet any of the standards for relief**

**of a dimensional variance as presented in the Zoning Ordinance. More specifically, the TRC feels that the site plan and application does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The TRC feels that the applicant has sufficient room to the side of the property to locate an addition without having to request a variance. The Technical Review Committee feels that the dimensional variance will alter the general character of the surrounding area and will impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.**

**H.L. George Development Corp., c/o Richard Ackerman, Esquire, 800 Clinton Street, Woonsocket, RI/First Facility Lincoln, LLC, /o Richard Ackerman, Esquire, 800 Clinton Street, Woonsocket, RI – Request for one year extension of Decision rendered on January 3, 2006.**

**AP 41, Lot 44 Zoned: BL**

**Members of the Technical Review Committee reviewed the submitted application for a time extension of a special use variance. The TRC recommends Approval of the application for a time extension. The Committee feels that the applicant has been diligently working to start construction of the project within the one year time frame but time ran out.**

**Town of Lincoln, 100 Old River Road, Lincoln, RI – Dimensional Variance seeking pole height relief for school and athletic fields located at 152 Jenckes Hill Road, Lincoln, RI.**

**AP 26, Lots 38/39/41/43 Zoned: RA 40**

**The application was not available for the Technical Review Committee to review. Therefore, no recommendation can be offered.**

**Respectfully submitted,**

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

**Administrative Officer to the Planning Board**