

July 20, 2007

Town of Lincoln – Planning Board

100 Old River Road

Lincoln, RI 02865

Dear Honorable Members,

On July 18, 2007, at 2:30 pm, the Technical Review Committee met to review the agenda items for the July 25, 2007, meeting of the Planning Board. In attendance were Al Ranaldi, Kim Wiegand, Michael Reilly, Russell Hervieux, and John Faile. Below are the Committee's recommendations:

Major Land Development Review

a. Homewood Suites Hotel AP 31 Lot 12 Master Plan Land

- Benderson Development Co., LLC 640 George Washington Hwy Development Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the commercial land development of a single lot. The proposed land development project is for the construction of an extended stay hotel. This proposed hotel will be accessed from

George Washington Highway. The subject project is located in zoning district ML-0.5 (Manufacturing Limited). On July 17, 2007, the 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 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 November 14, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above-proposed land development according to the 2005 Land Development and Subdivision Regulations master plan requirements and standard engineering practices. The plans reviewed were entitled “Master Plan for Homewood Suites”, AP 31 Lot 12”, 640 Washington Highway, Lincoln, Rhode Island, sheets 1-4, prepared for the applicant, Benderson Development Co. LLC, by John P. Caito Corp., dated May 2007. Below are the TRC recommendations for this project.

Traffic/Site

Access to the site is from a State Highway, Route 116, George Washington Highway. The project will require a Physical Alteration Permit (PAP) from RIDOT for the change in land use of the property at preliminary approval. It is recommended that the Albion Fire

Department review the plans for fire and rescue service safety at the preliminary plan review level. The applicant should also request an FAA Form 7460 review.

Sanitary Sewers

The development is proposed to connect to an existing sewer that flows to the Narragansett Bay Commission (NBC) interceptor on Route 116. The sewer supervisor has indicated that sewers are available to the project. Approval from NBC will be required as a condition for preliminary approval.

Public Water Service

The Lincoln Water Commission (LWC) has confirmed the availability of public water service with conditions. However, the Commissioner stated that there are some major concerns with providing public water service to the lot. The parcel was originally fed by one water service off of George Washington Highway. The existing office building feeds off of this service. A third building triggers updates to the service line such as master meters, backflow devices, and separate service lines to each building. These concerns can be accomplished but will take some engineering. These concerns will require more review at the preliminary plan level. Final approval from LWC must be a condition of approval for the land development.

Environmental/Drainage

The development is proposed to drain to an expanded, existing

detention basin that is mostly on an adjacent parcel. The owners of the property on which existing basin is located must approve this reconfiguration and calculations must be reviewed by the Town Engineer. The flow from the basin discharges to drainage in Route 116. There does not appear to be any wetlands on the property.

Zoning

The development will require one Special Use Permit for the hotel use, one Dimensional Variance for the front setback, and one Use Variance for the sign. The development is scheduled for Zoning Board review in August. All new commercial development will have to be reviewed by the Area of Planning Concern. According to the new Zoning Ordinance, this review should take place before or during the preliminary plan review stage.

Based on the Master Plan submission, the Technical Review Committee feels that the applicant can address the above-noted concerns. If the Zoning Board approves the above-noted zoning applications, the TRC recommends that the application proceed to a public informational hearing at the August Planning Board meeting.

Major Subdivision Review

a. The Hills of Monticello Subdivision AP 40 Lots 30 and 31 Master Plan Discussion / Approval

- R.H. Jergensen Construction Co. Albion Road

This application is under the 2005 Subdivision Regulations and represents the subdivision of two residential lots into fourteen single-family residential lots. All lots are accessed from a proposed roadway ending in a cul de sac. Another cul de sac is located off of the proposed main roadway. The subject project is located in zoning district RA-40 (40,000 square feet – Residential Single Family). On May 14, 2007, the 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 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 September 11, 2007, 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 submission standards and requirements and standard engineering practices. This project is in front of the Planning Board for a master plan discussion / approval. The submission includes a plan entitled “The Hills of Monticello, Albion Road”, AP 40, Lots 30 & 31, in Lincoln, Rhode Island, prepared for R.H. Jergensen Construction Co. by Pare Engineering Corp. dated April 2007. Also reviewed was a narrative document entitled Master Plan by the above engineer dated April

2007, and a supplemental document entitled Response to Comments/Plan Deficiencies by the above engineer dated July 18, 2007. Below are the TRC recommendations for this project.

Site Plan

The existing site has many challenges to development. It is a policy of the Public Works Department that all drainage facilities outside of the public right-of-way must be shown within easements on individually owned lots. All detention basins must be privately owned and accessible from a public right-of-way. A note regarding this should be included on the plans.

Traffic

Albion Road is a State road. The access to the subdivision will require a Physical Alteration Permit from RIDOT.

Wetlands/Groundwater

The proposed subdivision will require a RIDEM Wetlands permit. A certified soil evaluator must determine the seasonal high ground water elevations at the locations associated with proposed detention basins and other critical areas on the property. The Town Engineer must witness the excavation of test pits. It is recommended that a condition of approval must be that no detention basins or house basements or finished floors are to be constructed into the elevation of the seasonal high ground water. The TRC has serious concerns regarding the extensive removal of earth and blasting of ledge in

order to install the proposed roadway. The impact to the groundwater hydrology is likely to be critically impacted. The TRC would like to see how this is going to be mitigated.

Utilities

The plan shows public water and sewer connections to the proposed lots. Sewer availability must be sought from the Lincoln sewer supervisor. Gravity sewers are proposed. The flows from the development will also require approval from the Narragansett Bay Commission. The superintendent of the Lincoln Water Commission (LWC) has communicated to the Town Engineer that public water service is available to this project. The water line is shown looped within the road right of way to meet the LWC requirements.

Drainage

Storm water runoff from Albion Road which currently flows down Meadowbrook Road is proposed to be collected and redirected to a lower reach of the stream on the north side of Albion Road. This is proposed as an off site improvement to alleviate existing drainage problems in the immediate area.

Waivers

The following waivers to the subdivision regulations are requested by the applicant.

- Length of cul de sac: it is 570 feet greater than allowed in the RA-40

zone.

- **2 ½ to 1 lot length to width ratio: lots 8, 9, 10, and 30 do not fit the ratio.**

The TRC discussed the above-noted waivers and concluded that each waiver is specific to this site and the proposed site design. The TRC feels that the waiver for the length of cul de sac is appropriate. The TRC did a quick calculation and determined that if the roadway was constructed at the standard 900' and the property did not have any physical constraints to development, the applicant would be allowed to develop 12 house lots. However, due to the physical constraints to development, the site and the proposed 1400' long roadway can only support 14 house lots. This represents only two house lots more than what would be allowed on a site with a 900' roadway and no development constraints. The Albion Fire District submitted a letter dated May 29, 2007, stating that they find no objections with any public safety issues for the proposed length of roadway. The TRC discussed the four requested waivers from the length-to-width ratio. The TRC feels that each waiver makes for better lot configurations within the subdivision.

Based on the most recent master plan submission, the Technical Review Committee feels that the applicant has successfully addressed all of the concerns presented during this review phase. Therefore, the TRC recommends that this application be Approved with Conditions. Below are the recommended conditions of approval.

- 1. All detention basins must be privately owned and accessible from a**

public right-of-way.

2. Albion Road is a State road. The access to the subdivision will require a Physical Alteration Permit from RIDOT.

3. The proposed subdivision will require a RIDEM Wetlands permit.

4. Final approval from the Lincoln Water Commission.

5. The developer continues to develop off-site improvement to alleviate existing drainage problems in the immediate area.

6. Approval of waiver - Length of cul de sac: it is 570 feet greater than allowed in the RA-40 zone.

7. Approval of waivers - 2 ½ to 1 lot length to width ratio: lots 8, 9, 10, and 30 do not fit the ratio.

Minor Subdivision Review

a. Ellicott Minor Subdivision AP 15 Lot 37 Preliminary Plan Discussion /

- Steve Ellicott Etux. Cobble Hill Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one residential lot into two residential lots. All lots are accessed from an existing road. The proposed project is classified as a Minor Subdivision. On July 17, 2007, 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. Therefore, a decision on the Preliminary Plan review must be made by September 20, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations preliminary plan submission standards and standard engineering practices. The submission includes a plan set entitled “Preliminary Minor Subdivision of Land for Steve Ellicott et ux” AP15 Lot 37, Cobble Hill Road in Lincoln, Rhode Island, prepared for Steve Ellicott et ux by Marsh Surveying Inc., dated April 12, 2007.

Groundwater/Wetlands

No wetlands appear to be present on the property. However since the area is subject to levels of high seasonal groundwater. In the notes on the plan note #15 (No finished floors or basements shall be constructed at or below the seasonal high groundwater, as located by a certified soil evaluator.) must be a condition for subdivision approval. The plan also shows a proposed location for a dry well to be installed. This detail must be included for review at the time that the building permit application is filed. Per the Town ordinance, a sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site.

Utilities

The new lot is shown to be connected to public water and sanitary sewers. The sewer supervisor confirmed that public sewers are available. The applicant must obtain a permit from Narragansett Bay Commission for sewer discharge. The applicant received preliminary approval for water service to the proposed new lot from the Lincoln Water Commission in a letter dated June 22, 2007. The plans do not show that the existing house is connected to public water. Any unused wells on site must be closed according to the appropriate RIDEM regulations; if a well is proposed to be used, it must be shown to be located on the proper lot.

Site plan

The location of the proposed driveway for the new house is acceptable.

Record plan

Granite bounds must be shown marking the location of the outer property corners.

Based on the most recent preliminary plan submission, the Technical Review Committee feels that the applicant has successfully addressed all of the concerns presented during this review phase. Therefore, the TRC recommends that this application be Approved with Conditions. Below are the recommended conditions of approval.

- 1. No finished floors or basements shall be constructed at or below the seasonal high groundwater, as located by a certified soil evaluator**
- 2. A dry well detail must be included for review at the time that the building permit application is filed.**
- 3. A sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site.**
- 4. The applicant must obtain a permit from Narragansett Bay Commission for sewer discharge.**

Zoning Applications (*) – August Zoning Applications

JCM, LLC, 3434 Mendon Road, Cumberland, RI – Application for Dimensional Variance seeking lot width relief for the purpose of subdividing property located at Jenckes Hill Road, Lincoln, RI.

AP 26, AP 2 Zoned: RA-40

Currently, there are no submitted subdivision plans for review by the Planning Board. Therefore, the request for a dimensional variance is premature. No recommendation is offered.

James A. Dupuis, 10 High Street, Manville, RI – Dimensional Variance application seeking rear and side yard relief for the construction of a deck.

AP 37, Lot 266 Zoned: RL 9

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 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. The TRC feels that the applicant has sufficient room to the rear-left of the property to locate a deck 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.

John & Laurie Denio, 17 Cabot Street, Lincoln, RI – Dimensional Variance application seeking front and side yard setback for the construction of an addition.

AP 10, Lot 338 Zoned: RL 9

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application. The Technical Review Committee feels that the proposed design and layout of the existing single family limits the owners to the area in which they can locate an addition. The Technical Review 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.

Benderson Development Co., LLC, 570 Delaware Avenue, Buffalo, NY/640 GWH, LLC, 640 George Washington Highway, Lincoln, RI – Use Variance application for a sign to be located on Route 116 for a hotel on property located at 640 George Washington Highway, Lincoln, RI.

AP 31, Lot 12 Zoned: ML 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of the Use Variance for the placement of a sign on a separate lot other than the lot in which the use is located. The TRC feels that due to the unique characteristics of the site and the thoughtful site layout of the proposed hotel that allowing a sign to be placed on another lot abutting the hotel lot is realistic. The hotel is proposed to be located in the front of the parcel and along George Washington Highway. The site plans and application specifically details the proposed location of the hotel and its parking and their relationship to the existing building and the roadway. The area between the highway and the lot is a 100 foot wide RIDOT easement. The sign is proposed to be located within this area. The TRC feels that the site layout is thoughtful and takes into consideration many factors relating to the site and the overall character of the area. According to the Economic Development

section of the 2003 Comprehensive Plan, “key components of the Town’s successful economic development strategy” is the, “Combination of high development standards with a workable review process. Without exception the developers and managers that have been interviewed say that the Town is good to work with. The Town had a plan and stuck with it, not swinging with political winds. This has attracted developers who want to create a quality product and are willing to invest in good site planning, because they believe that the Town will not leave them hanging.” (2003 Comprehensive Plan, ED-13). The applicant’s thoughtfulness in site design was a key element as the TRC discussed this application and measured it against the zoning standards for a Use Variance.

Benderson Development Co., LLC, 570 Delaware Avenue, Buffalo, NY/640 GWH, LLC, 640 George Washington Highway, Lincoln, RI – Special Use Permit application for mixed use office and hotel on property located at 640 George Washington Highway, Lincoln, RI as authorized under Section 260-9F of the Lincoln Zoning Ordinance.

AP 31, Lot 12 Zoned: ML 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of the Special Use Permit for the construction of a hotel and its associated parking. The TRC feels that due to the unique characteristics of the site and the thoughtful site layout of the proposed hotel that allowing a dimensional variance for

the placement of the building is realistic. The current property contains one large office building with its parking in the rear. The hotel is proposed to be located in the front of the parcel and along George Washington Highway. The site plans and application specifically details the proposed location of the hotel and its parking and their relationship to the existing building and the roadway. The area between the highway and the lot is a 100 foot wide RIDOT easement. The TRC feels that the site layout is thoughtful and takes into consideration many factors relating to the site and the overall character of the area. According to the Economic Development section of the 2003 Comprehensive Plan, “key components of the Town’s successful economic development strategy” is the, “Combination of high development standards with a workable review process. Without exception the developers and managers that have been interviewed say that the Town is good to work with. The Town had a plan and stuck with it, not swinging with political winds. This has attracted developers who want to create a quality product and are willing to invest in good site planning, because they believe that the Town will not leave them hanging.” (2003 Comprehensive Plan, ED-13). The applicant’s thoughtfulness in site design was a key element as the TRC discussed this application and measured it against the zoning standards for a special use permit.

Benderson Development Co., LLC, 570 Delaware Avenue, Buffalo, NY/640 GWH, LLC, 640 George Washington Highway, Lincoln, RI – Dimensional Variance application seeking front setback relief for

property located at 640 George Washington Highway, Lincoln, RI.

AP 31, Lot 12 Zoned: ML 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of the Dimensional Variance for the construction of a hotel and its associated parking. The current property contains one large office building with its parking in the rear.

The hotel is proposed to be located in the front of the parcel and along George Washington Highway. The site plans and application specifically details the proposed location of the hotel and its parking and their relationship to the existing building and the roadway. The TRC feels that the site layout is thoughtful and takes into consideration many factors relating to the site and the overall character of the area. According to the Economic Development section of the 2003 Comprehensive Plan, “key components of the Town’s successful economic development strategy” is the, “Combination of high development standards with a workable review process. Without exception the developers and managers that have been interviewed say that the Town is good to work with. The Town had a plan and stuck with it, not swinging with political winds. This has attracted developers who want to create a quality product and are willing to invest in good site planning, because they believe that the Town will not leave them hanging.” (2003 Comprehensive Plan, ED-13). The applicant’s thoughtfulness in site design was a key element as the TRC discussed this application and measured it

against the zoning standards.

Correspondence/Miscellaneous (*)

1. Goudreau AP23 Lot 109 Administrative Subdivision Approved

This represents an administrative subdivision of property lines. This subdivision was recorded on March 26, 2007.

2. Lincoln Meadows I - AP45 Lot 1 Final Plan Approval

This represents a major subdivision of land. The applicant has successfully met all conditions of final plan approval. This subdivision was recorded on April 30, 2007.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

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Administrative Officer to the Planning Board