

June 22, 2007

Town of Lincoln – Planning Board

100 Old River Road

Lincoln, RI 02865

Dear Honorable Members,

On June 19, 2007, at 2:30 pm, the Technical Review Committee met to review the agenda items for the June 27, 2007, meeting of the Planning Board. In attendance were Al Ranaldi, Kim Wiegand, Michael Reilly, Peggy Weigner, and John Faile. Below are the Committee's recommendations:

Major Land Development Review

a. Drive-Thru Establishment AP 41 Lot 69 Preliminary Plan Land Development

- Jason M. Ruotolo George Washington Hwy Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the commercial development of a single lot containing approximately 1.242 acres. The review stages were combined during the October Planning Board meeting. Therefore, this project is in front of the Planning Board for a Preliminary Plan Land Development

Review. On October 16, 2006, 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 Preliminary Plan review must be made by February 13, 2007, or within such further time as may be consented to by the applicant. On January 24, 2007, the applicant asked for and received an extension to April 25, 2007, in order to receive comments and final approval from RIDEM. The applicant was prepared to attend the April meeting however; the Administrative Officer asked if they could attend the May meeting. The applicant requested in writing a one month extension in April so they could be heard during the May meeting.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan requirements and standard engineering practices. The plans reviewed were entitled "Preliminary Plan Submission, Drive Thru Establishment, AP 41 Lot 69", Lincoln, Rhode Island, sheets 1-7, prepared for the applicant, Jason Ruotolo by Thalmann Engineering Co., Inc., dated September 2006. Also received were the following documents: Drainage Report & Calculations prepared for Jason Ruotolo by Thalmann Engineering Co., Inc. dated October 20, 2006 and Traffic Impact Study Route 116 Commercial Development

prepared for Thalmann Engineering, Inc. by RAB Professional Engineers, Inc., dated October 2006. In addition, a report entitled “Drive Thru Establishment, George Washington Highway AP 41 Lot 69, Master Plan-Development Impact Narrative”; dated September 2006 had been reviewed prior to the preliminary submission. Below are the Technical Review Committee’s comments.

Traffic/Road/Site

Access to the site is from a State Highway, Route 116, George Washington Highway. On December 21, 2006, this project received a Physical Alteration Permit (PAP) from RIDOT for access and site drainage for the project. A memo from RIDOT regarding the project was received December 12, 2006. This memo contained two comments relevant to the site plan. One comment addressed the adequacy of space for the stacking of vehicles queuing in the drive thru. The RIDOT requires minimum space for ten vehicles measured back from the order board. The other comment concerns the exit. According to the Traffic Impact Report, two exit lanes are recommended; one for turning left and one for turning right. The RIDOT memo specified limiting the exit to one lane. The engineer has shown accordingly, one exit lane with an island between it and the entrance lane. This would allow a left turn lane to be constructed in the future, should it be needed. This redesign was shown on the most recently revised plan set. It appears that the guard rail by the retaining wall at the access road should be extended further to where the grade differential is less than three feet. The applicant has

submitted the project to FAA for their review. The TRC feels that this project will not likely interfere with the operations of the North Central Airport and therefore be likely to receive a positive recommendation from FAA. Final approval from FAA would be a condition of preliminary plan approval. The TRC also recommends that the Albion Fire Department review the plans for fire and rescue service safety and submit a letter on their conclusions. The TRC recommends that receiving a positive letter from the Albion Fire District be a condition of preliminary plan approval.

Sanitary Sewers

The development is proposed to flow to the Narragansett Bay Commission (NBC) interceptor on Route 116. Approval from NBC will be required as a condition for preliminary approval.

Public Water Service

Public water service to this project will be supplied from the Smithfield Water Supply Board with review and approval from the Lincoln Water Commission. The applicant received conceptual approval from the Smithfield Water Supply Board on May 30, 2007. According to the Lincoln Water Superintendent, his office has been in contact with the Smithfield Water Supply Board regarding this project and feels comfortable with the progress. Final approval from the Smithfield Water Supply Board and Lincoln Water Commission will be a condition of preliminary plan approval.

Environmental/Drainage

The existing site drains mainly to wetlands on the property. The wetlands have been located in the field and verified by RIDEM. On March 1, 2007, this project received a RIDEM Insignificant Alteration Permit to cross the wetlands. The plans show an underground detention system which will discharge into the wetlands. The drainage facilities are proposed to include mitigation of storm water flows for both rate of flow and volume. The underground system includes some infiltration of storm water from not only the roof but also pavement. The system design allows a minimum of one foot separation from the seasonal high groundwater elevation. While this design is the standard for a conventional detention basin, it does not meet the requirement for an underground injection control (UIC) system which requires a minimum three-foot separation. It is recommended that the developer receive an opinion from RIDEM as to whether this system requires a UIC permit. Location of any existing wells and/or septic systems within 200 feet of the property must be shown on the plan. Any onsite wells or septic systems will need to be properly closed and/or removed.

Based on the recent submission, the Technical Review Committee feels that the concerns noted above are minor in nature. Therefore, the TRC recommends that this application be Approved with Conditions. Below are the recommended conditions of approval.

1. Final approval from FAA.

- 2. The Albion Fire Department reviews the plans for fire and rescue service safety and submits a positive letter on its conclusions.**
- 3. Final approval from the Smithfield Water Supply Board and Lincoln Water Commission.**
- 4. The developer receives an opinion from RIDEM as to whether this system requires a UIC permit. If a UIC permit is required, then the developer must obtain the permit as a condition of approval.**

Major Subdivision Review

- a. The Hills of Monticello Subdivision AP 40 Lots 30 and 31 Public Informational Meeting – 7:15 PM**
 - R.H. Jergensen Construction Co. Albion Road Master Plan Discussion / Approval**

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 public informational meeting. 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. 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. The following site plan concerns need to be resolved.

- All drainage facilities outside of the public right of way must be shown within easements.
- The buildable area for each lot has been determined; however it is

not clear whether the easements for the drainage lines or basins have been included, since no easements are shown on the site plans.

- Landscaped cul de sac centers are not acceptable.**
- The sidewalks need to be constructed on the short, western cul de sac.**

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. It is not clear whether retention or detention basins are proposed, as no outlets from the ponds are shown. If no outlets are proposed then the basins must provide storage for the 100 year frequency storm and an emergency overflow spillway.

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 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 two requested waivers from the length to width ratio. A suggestion came out of this discussion that these two lots can be reconfigured to meet that standard and the remaining land area be donated to the Town as open space. These two areas directly abut the Handy Pond Preserve area. The TRC also feels that the presented configuration of Lots 9 and 10 should extend to the existing boundary line. This would create two lots with greater than the standard 2 ½ to 1 lot length to width ratio, however, the TRC feels that this would make for better lot configurations.

This project is in front of the Planning Board for a public informational meeting. The TRC recommends that the applicant addresses the above noted concerns and any concerns presented at

the public informational meeting and return to the next Planning Board meeting for further review.

b. Sables Road Subdivision – Phase 1 AP 44 Lot 33 Preliminary Plan Extension

- Leslie W. Sables Angell and Whipple Road

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 presents the development of 8 single-family residential lots. On June 26, 2006, the Preliminary Plan was approved with conditions. As presented in the application for time extension, the applicant has been diligently working to finalize required documents. The applicant is requesting a one year extension until July 27, 2008 to complete the project. The TRC has reviewed the application and recommends approval of this request.

Minor Subdivision Review

a. Morris Minor Subdivision AP 41 Lots 10 and 11 Preliminary Plan Discussion /

- Matthew L. and Raymond E. Morris Albion Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of two lots into three residential lots. All

lots are accessed from an existing road. The proposed project is classified as a Minor Subdivision. On April 9, 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 June 13, 2007, or within such further time as may be consented to by the applicant. The applicant has agreed in writing to a time extension to July 25, 2007, for the Planning Board to complete their review.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled “Minor Subdivision Plan”, AP 41 Lots 10 & 11, Albion Road in Lincoln, Rhode Island, prepared for Matthew L. & Raymond E. Morris by Baron Engineering, Ltd., revision date May 23, 2007.

Site Plan

For any new bounds, granite, not iron pipe, must be installed at the outer subdivision corners. The Town solicitor must review the

easement for the private sewer connections prior to recording. The location of the driveway for the proposed new house lot must be approved by RIDOT through a Physical Alteration Permit as a condition of this subdivision approval. There appears to be adequate buildable area for each of the lots. Existing wells and septic disposal systems on the properties or within 200 feet on abutting lots have been shown.

Wetlands

Wetlands have been shown on the plan. It appears that the wetlands are outside of any areas of disturbance, so a permit or a letter of non-jurisdiction from RIDEM Wetlands is not required. 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 to be connected to public water as shown. The applicants propose to connect to the gravity sewer service lateral installed for lot 10 for the proposed house lot and the existing house. The private lines are proposed to be located within a private 20 foot wide easement alongside Albion Road. These sewers would not be a part of the Town's sewer system. The applicant must obtain a permit from Narragansett Bay Commission for any proposed new sewer discharges.

Based on the revised Preliminary Plans, the TRC recommends Approval with Conditions. Below are the following conditions of approval:

- 1. Granite bounds must be installed and shown on the final recorded plans marking the location of all new property corners of the new lot.**
- 2. The sewer easement documents must be reviewed and approved by the Town Solicitor**
- 3. The applicant must receive a RIDOT Physical Alternation Permit for the new driveway**
- 4. The applicant must obtain a permit from Narragansett Bay Commission for any proposed new sewer discharges.**

b. Rosa Minor Subdivision AP 16 Lot 10 Preliminary Plan Discussion /

- Lori A. Rosa Westwood Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into three residential lots. All lots are accessed from existing roadways. The proposed project is classified as a Minor Subdivision. On June 7, 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 August 11, 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 requirements and standard engineering practices. The submission includes a two plan set entitled "Preliminary Minor Subdivision" AP16 Lot 10, Westwood Road and Carriage Drive in Lincoln, Rhode Island, prepared for Gary and Lori Rosa by Marsh Surveying Inc., dated April 5, 2007. Below are the TRC recommendations for this project.

Groundwater/ Drainage/ Wetlands

No wetlands appear to be present on the property. However the area may be subject to levels of high seasonal groundwater. The plans have the following note: no finished floors or basements shall be constructed at or below the seasonal high groundwater. The plan also shows proposed locations for dry wells to be installed. As noted on the plans, the builder must provide a detail or cut-sheet of the dry wells for review at the time that a 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. Any unused wells on site must be closed according to the appropriate RIDEM regulations, as noted on the plans.

Utilities

The proposed lots are shown to be connected to public sewers with individual connections to the sanitary sewers. The sewer supervisor confirmed that public sewers are available. The applicant must obtain a permit from Narragansett Bay Commission for sewer discharge for each new house at or before the issuing of a building permit. The applicant received approval for water service to the proposed lots from the Lincoln Water Commission in a letter dated May 31, 2006. Please note that such approvals are only valid for one year.

Site plan

The location of the one new proposed curb cut for the driveway for the new house on Carriage Drive is acceptable.

Record plan

Granite bounds must be shown marking the location of the outer corners of the property. Only the outer corners of the property need to have bounds.

Based on the submission, the Technical Review Committee

recommends Approval with Conditions. Below are the recommended conditions of approval.

1. The applicant must obtain a permit from Narragansett Bay Commission for sewer discharge for each new house at or before the issuing of a building permit.

2. Granite bounds must be shown marking the location of the outer corners of the property. Only the outer corners of the property need to have bounds.

3. A sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site.

Zoning Applications (*) – July 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.

Sean F. Gorman, 90 Angell Road, Lincoln, RI – Dimensional Variance

seeking relief on the north side property line for the construction of an addition.

AP 43, Lot 9 Zoned: RS 20/RA 40

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.

Quinnville Fire Department, 861 Lower River Road, Lincoln, RI – Special Use Permit to expand existing fire station.

AP 29, Lot 85 Zoned: RA 40

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 expansion of the existing fire station. The application requests a 20' x 50' addition to house fire apparatus. The site plans specifically details the limitations of the building envelope to accommodate a different location for the proposed addition. The TRC feels that due to the unique nature of the building's use and more specifically the limiting building envelope, the applicant presents a realistic site

layout that meets the intent of the zoning and would not be detrimental to the neighborhood.

Quinnville Fire Department, 861 Lower River Road, Lincoln, RI – Dimensional Variance seeking front and rear yard relief for the construction of an addition.

AP 29, Lot 85 Zoned: RA 40

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 fire station and the configuration of the existing lot limits the owners to the area in which they can locate the proposed 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.

Eparchy of St. Maron of Brooklyn, NY, 5 Main Street, Pawtucket, RI – Special Use Permit to construct a church and maintain existing building as an accessory use for property located at 171 Twin River Road, Lincoln, RI.

AP 45, Lot 361 Zoned: RA 40

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 church and maintenance of the existing building as an accessory use for this property. The current property is approximately 8 forested acres. The site plans and application specifically details the proposed location of the church and its parking as well of the proposed extensive evergreen buffering along the southern side of the property. The church is proposed to be located 387 feet into the property. The TRC feels that due to the large size of the property, the proposed evergreen buffer and the unique nature of the building's use, the applicant presents a realistic and thoughtful site layout that meets the intent of the zoning and would not be detrimental to the neighborhood.

A.F. Homes, LLC, P.O. Box 2312, Pawtucket, RI/3J Corporation, 90 Industrial Circle, Lincoln, RI – Dimensional Variance seeking rear and side yard setbacks for the construction of 48 residential condominium units under Article III, Section of the zoning code.

AP 2, Lot 82 Zoned: MG 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The proposed dimensional variances are to clear up the pre-existing nonconformance of this parcel of land. This lot and existing buildings were platted and developed before present-day zoning regulations. 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 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.

Correspondence/Miscellaneous (*)

1. Cottage Street AP 9 Lots 164 and 203 Administrative Subdivision Approved

This represents an administrative subdivision of property lines. This subdivision was recorded on June 7, 2007.

2. Great Road Estates AP29 Lot 2 Remediation Bond Approval

This represented the establishment and approval of a remediation bond for the above noted major subdivision. The approval of the bond was delegated to the Administrative Officer of the Planning Board as part of the Preliminary Plan approval.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

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Administrative Officer to the Planning Board