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OFFICE OF THE
TOWN PLANNER

April 22, 2022

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

Dear Honorable Members,

On Tuesday, April 19, 2022 at 3:00 PM, the Technical Review Committee met to review the agenda items for the April 27, 2022 meeting of the Planning Board. In attendance were Al Ranaldi, Russell Hervieux, Peggy Weigner, Michael Reilly, Michael Gamage, Francine Jackson, and Robert Anderson (LWC). Below are the Committee's recommendations.

PLEASE NOTE: The purpose of this report is to provide technical comments and recommendations on the projects listed below based on the Town of Lincoln's Zoning Ordinance and Land Development and Subdivision regulations. The comments expressed in this report shall not be interpreted as an approval or denial of any of the projects listed below.

Major Land Development

Wellington Road Development
- Maple Realty, LLC

AP 28 Lot 137
Wellington Road

Public Hearing – 7:00 PM
Preliminary Plan Review

This application is under the 2016 Subdivision Regulations and represents the addition of a 21,450 square foot storage building onto the existing building. Existing parking will be relocated within the parcel. A conceptual stormwater drainage swale is proposed along the side of the addition. No waivers of the Subdivision Regulations are requested. The project is in front of the Planning Board for a Public Hearing at the Preliminary Plan Review stage.

On **March 15, 2022**, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within ninety days (90) days of certification of completeness or within such further time as may be consented to and obtain a written waiver of the deadline from 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 **June 13, 2022**, or within such further time as may be consented and obtain a written waiver of the deadline from the applicant. This review approval has a **two (2) year approval-vesting period**.

The preliminary plan submission included the following:

- *Proposed Addition Plan, "Maple Realty, LLC", 1 Wellington Rd, Lincoln, RI, Assessor's Plat 28 Lot 137, prepared by Insite Engineering Services dated February 8, 2022.*
- *GEM Mechanical Services Proposed Expansion, 1 Wellington Rd, Lincoln, RI 02865, prepared by Bisbane + Associates, Inc., dated February 18, 2022.*
- *Letter from Lincoln Water Commission, Robert Anderson, Jr. Chief Engineer/Superintendent to Albert Ranaldi Jr, Administrative Officer Lincoln Planning Board, dated March 23, 2022, regarding Water Availability Letter Request for property located at 1 Wellington Road, AP 28 Lot 137.*
- *Rendering View 1 and 2*

Site Layout

This project represents adding a 21,450 square foot storage addition onto the existing building. All existing parking spaces located where the proposed addition is to be built will be relocated within the parcel. A conceptual stormwater drainage swale is proposed along the northeastern side of the addition.

The existing facility and proposed project is located within an existing Manufacturing Park. The Technical Review Committee noted that all finalized plans submitted to the Town must be stamped by the appropriate professionals. The TRC would like to see a parking summary table of the existing vs. proposed vs. required parking on the plans.

Zoning

The property is zoned MG (Manufacturing General). The property abuts a residential zoning district. According to the Zoning Ordinance, a 100 foot setback is required along the property line that is adjacent to the residential zoning district. As presented, the proposed project meets the requirements of the Zoning Ordinance.

Utilities

Existing facility is served by public sewer and water. Based on the use, the proposed storage addition will only require public water for fire suppression. The applicant performed a water flow test on March 18, 2022. The results of the flow test were given to the Lincoln Water Commission. A water availability letter was issued by the Lincoln Water Commission on March 23, 2022.

Wetlands/Stormwater Runoff

Stormwater runoff from the proposed addition will be controlled by an above-ground stormwater drainage swale located along the northeast side of the addition. A Stormwater

Management Report for the proposed drainage system is required at the Preliminary Plan review stage. A Stormwater Construction Permit/UIC Permit from RIDEM is required for the proposed drainage system. An Erosion and Sediment Control Plan is required at the building permit review stage.

The applicant has not finalized their stormwater management system. The applicant plans on submitting this plan in time for the May Planning Board meeting. Due to the layout of the existing property, the Town Engineer feels that the finalized stormwater system will not take long to review.

There are no existing wetlands indicated on the plans. According to the applicant, approximately 60% of the addition's footprint is already impervious. A note must be placed on the site plans stating that, "Based on observation made at the site, no wetlands exist on the parcel".

Based on the Preliminary Plan submission and Technical Review Committee review, the Technical Review Committee feels that the applicant have addressed the majority of technical requirements of the subdivision regulations for a Preliminary Plan review stage. The outstanding item is the Stormwater Management Plan.

Residential Multi-Family Development
- Jorica Development

AP 06 Lot 213
Smithfield & Higginson Ave

Master Plan Review

This application is under the 2016 Subdivision Regulations and represents the development of a 16,578 square foot vacant plot of land located at the corner of Smithfield and Higginson Avenues. The applicant is proposing to develop a five (5) unit townhouse style building and associated parking area. Stormwater management will be addressed with underground infiltration systems. No waivers of the Subdivision Regulations are requested. However, the applicant has not addressed the affordable housing component of our Zoning Ordinance. The project is in front of the Planning Board for a Master Plan Review stage.

On **April 19, 2022**, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within ninety days (90) days of certification of completeness or within such further time as may be consented to and obtain a written waiver of the deadline from 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 **July 18, 2022**, or within such further time as may be consented and obtain a written waiver of the deadline from the applicant. This review approval has a **two (2) year approval-vesting period**.

The master plan submission included the following:

- *Residential Multi-Family Development, Jorica Development, Map 06, Parcel 213, 0 Smithfield Ave at Higginson Ave, Lincoln, RI 02865, prepared by Level Design Group, revised March 30, 2022.*
- *Report regarding Town of Lincoln Zoning Board of Review, Special Use Permit, Five-Unit Residential Development Analysis, 0 Smithfield Avenue/Higginson Avenue, Assessor's Map 6, Parcel 213, prepared for Jorica Development, prepared by Pimentel Consulting, Inc., dated March 10, 2022.*

Site Layout

This project represents the development of a 16,578 square foot vacant plot of land located at the corner of Smithfield and Higginson Avenues. The applicant is proposing to develop a five (5) unit townhouse style building and associated parking area. Stormwater management will be addressed with underground infiltration systems. Access to the property is proposed to be located off of Smithfield Avenue which is a State road. Therefore, a Physical Alteration Permit is required at Preliminary Plan stage. A lighting and landscape plan will be required at the Preliminary Plan review stage.

Due to the size of the property, the Town expressed concerns as to where future snow storage and the dumpster/s will be located. The submitted plan set successfully addresses these concerns and shows areas set aside to accommodate the future snow storage and dumpster/s. The Town Engineer indicated that some portions of the existing sidewalk needs repair. Repairs to existing sidewalks along property frontage will be detailed at Preliminary Plan stage. This repair should be included in the application for a Physical Alteration Permit.

Zoning

The property is zoned VCMU (Village Commercial Mixed Use). Multi-family housing is allowed with a Special Use permit. According to our Subdivision and Land Development Regulations, Section 6A(2), a project requiring both Planning Board and Zoning approvals must first obtain an advisory recommendation from the Planning Board as well as conditional Planning Board approval for the first approval stage of the proposed project.

While the multi-family use requires a Special Use permit, a proposed project with five or more units must have a minimum of twenty (20%) of the total number of dwelling units as affordable units. This requirement has been brought up during several reviews with the applicant. However, the applicant has not addressed the requirement. The Technical Review Committee expressed concerns about advancing this project further in the review process until the affordable housing requirement is clarified.

Utilities

Public sewer and water are located in Smithfield Avenue. The Town asked the applicant's engineer to research the feasibility of connecting into the existing sewer main in the opposite side of Smithfield Avenue. The submitted plan set successfully addresses the Town's concern. The plan set shows a proposed connection to a public water line in Smithfield Avenue. A water availability letter is required at the preliminary plan stage.

Wetlands/Stormwater Runoff

No wetlands are shown on the submitted site plan. A note should be placed on the plans indicating that no wetlands exist on the site based on field observations. Stormwater management will be addressed with underground infiltration systems. A UIC Permit from RIDEM is required at the preliminary plan stage. The stormwater system must be designed in accordance with the RIDEMs Rhode Island Stormwater Design and Installation Standards Manual (RISDISM). Design details and analysis reports can be submitted at Preliminary Plan Stage. An NBC Permit is required at Preliminary Plan stage.

Based on the Master Plan submission and Technical Review Committee review, the Technical Review Committee feels that the applicant has addressed all of the technical

requirements of the subdivision regulations for a Master Plan review stage. However, the affordable housing requirement, as specified in the Zoning Ordinance has not been addressed. The Technical Review Committee expressed concerns about advancing this project further in the review process until the affordable housing requirement is clarified.

Major Subdivision Review

The Fairgrounds Subdivision
- We Dig Investments, LLC

AP 42 Lots 12, 13, 42, 43, & 147
Kendall Drive

Preliminary Plan Review

This application is under the 2016 Subdivision Regulations and represents the reconfiguration of five (5) lots into ten (10) residential lots accessed by a new roadway and cul-de-sac. One residential lot out of the reconfigured design has an existing house on it. The project is in front of the Planning Board at the Preliminary Plan Review stage.

On **April 19, 2022**, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within ninety days (90) days of certification of completeness or within such further time as may be consented to and obtain a written waiver of the deadline from 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 **July 18, 2022**, or within such further time as may be consented and obtain a written waiver of the deadline from the applicant. This review approval has a **two (2) year approval-vesting period**.

The preliminary plan submission included the following:

- *The Fairgrounds, Major Subdivision, AP 42 Lots 12, 13, 42, 43, & 147, Jason Drive, Lincoln RI Preliminary Plan Submission*, prepared by Pare Engineering, dated March 18, 2022, revised April 22, 2022.
- *Stormwater Management Report, The Fairgrounds, AP 42, Lots 12, 13, 42, 43, and 147, Jason Drive, Lincoln Rhode Island*, prepared by Pare Engineering, dated March 18, 2022.
- *Stormwater Operation and Maintenance Plan, Long Term Pollution Prevention Plan, The Fairgrounds, AP 42, Lots 12, 13, 42, 43, and 147, Jason Drive, Lincoln Rhode Island*, prepared by Pare Engineering, dated March 18, 2022.
- *Soil Erosion and Sediment Control Plan, The Fairgrounds, AP 42, Lots 12, 13, 42, 43, and 147, Jason Drive, Lincoln Rhode Island*, prepared by Pare Engineering, and dated March 18, 2022.
- *Request for a Preliminary Determination, Supplemental Documentation from the Rhode Island Department of Environmental Management, regarding The Fairgrounds Major Subdivision, Lincoln, RI, and dated March 18, 2022.*

Site Layout

The project represents the reconfiguration of five (5) existing lots into ten (10) residential lots accessed by a new roadway and cul-de-sac. One residential lot out of the reconfigured design has an existing house on it. This lot (AP42 Lot 147) will be reduced in size. The reduced lot and the existing house continue to meet the Zoning Regulations.

The project is located off the existing cul-de-sac at the intersection of Kendall Drive and Jason Drive. The existing cul-de-sac will be removed and the intersection will be reconfigured.

The applicant presented a revised intersection design that was reviewed by the Technical Review Committee.

The revised intersection requires the reconfiguration of two existing properties. During the Master Plan review stage, the applicant contacted the abutting property owner of AP 42 Lot 129 – 22 Kendall Drive regarding the reconfiguration. According to the applicant, in general the property owner is comfortable with the proposed design. A Letter of Acceptance from the property owners of 22 Kendall Drive (Diebold) acknowledges the proposed plans. The letter states that the property owner, “take no issue with the currently proposed plans for “the Fairgrounds Major Subdivision”...” Another Letter of Acceptance from the property owners of 19 Kendall Drive (Akanji) similarly acknowledges the proposed plans. The letter states that the property owner, “take no issue with the currently proposed plans for “the Fairgrounds Major Subdivision”...”

The submitted preliminary plans detail the new driveway for AP 42 Lot 129 – 22 Kendall Drive. The plans call out the construction methods and materials of the new driveway, lawn, sprinkler system (if applicable), fencing, lighting, mailbox, landscaping etc.

The original site plan called for the abandonment of Paul Street (a paper street) that is adjacent to the subject project. The applicant indicated that they will not be pursuing the abandonment. The plans have been revised according to the Zoning Ordinance. The new site plans shows a continuous evergreen buffer planting along the rear property lines of Lots 4, 5, and 6.

The proposed cul-de-sac is 911 feet long. The maximum cul-de-sac length in an RS-20 zone is 720 feet per Section 22.C.8 of the Land Development and Subdivision Regulations. A 911 foot cul-de-sac is proposed. A waiver was granted during the Master Plan review stage.

As a result of engineering this project to a preliminary plan level, the proposed design creates two (2) subdivision regulations waivers. Section 22.C.7 states that the grade within a cul-de-sac, and for a distance of thirty (30) feet prior to it, shall not exceed one percent. The proposed cul-de-sac is steeper than 3%. The applicant would like to request a waiver from Section 22.C.7 of the Land Development and Subdivision Regulations. The Town Engineer and the project engineer explored several design options to eliminate the need for this waiver request.

During the Technical Review Committee review, the applicant’s attorney indicated that they are requesting two additional (2) waivers. It is unclear as to what the attorney was referring to regarding the second waiver. The amount and type of waivers other than the waiver for the longer road length need to be clarify.

Zoning

The property is zoned RS-20 (Residential Single Family). As presented, the proposed project meets the requirements of the Zoning Ordinance.

Affordable Housing Requirement

The Zoning Ordinance requires that twenty (20%) of the new units shall be designated as affordable units. During the Master Plan review, the application indicated that two house lots will be set aside as affordable. This statement satisfied the requirement for affordable housing at the Master Plan level. Additional details on how the affordable units will actually be created are usually presented at the Preliminary Plan review stage. At the Technical Review Committee meeting, the applicant indicated that they plan on selling the two lots set aside as affordable at

market rate. The TRC had questions as to how this will create affordable housing units. The applicant's attorney presented a few options that they will be exploring with RI Housing.

Utilities

Public sewer and water are located within the Kendall and Jason Drive public rights-of-ways. The Town issued a letter of sewer availability was issued on November 18, 2021. The applicant has submitted the necessary information on the proposed water usage to the Lincoln Water Commission. A request for water connection was submitted to the Lincoln Water Commission (LWC) in November 2021. A response was received on January 18, 2022 stating that a hydraulic model was being prepared to determine the availability of water throughout the Town which will take a few months. As such, individual wells are proposed at each of the lots to provide water supply in the event that the LWC is not able to.

Wetlands/Stormwater Runoff

A Stormwater Management Report and a Stormwater Operation and Maintenance Plan were developed to account for the proposed dwellings and driveways on the individual separate lots. The Town Engineer reviewed the plans and had a few minor engineering comments. These comments were addressed by the applicant's engineer. A RIDEM and NBC permits are required at Preliminary Plan review stage. A RIDEM application was submitted on March 21, 2022. A NBC permit is anticipated to be submitted in April 2022.

Based on the Preliminary Plan submission and Technical Review Committee review, the following items need to be addressed:

1. The Planning Board should review and discuss the new waivers requested as a result of the project being fully engineered and determine if they are comfortable granting approval of the waivers.
2. The applicant must explore their options to provide the required affordable units.

If the Planning Board is comfortable with the preliminary plan submission, the Technical Review Committee feels that the applicant has successfully addressed the majority of technical requirements of the subdivision regulations at a Preliminary Plan review stage. The applicant indicated that they are actively working to address the outstanding items. The next step in the review process is to conduct a Public Hearing.

Zoning Applications (*) – May Zoning Applications

PLEASE NOTE: The recommendations below that are offered by the Technical Review Committee to the Planning Board are offered for the Board to consider. The Planning Board may elect to adopt the recommendations as presented or modify one or more of them.

Continued from the March meeting

Terrapin Properties, LLC, 8 Davis Street, Cumberland, RI 02895 – Application for Special Use Permit to convert church building into a four unit residential building located at 1568 Lonsdale Avenue.

AP 4, Lot 53 Zoned: RG-7

A new site plan, revised up to February 10, 2022, was submitted by the applicant to address concerns presented by the Zoning Board members. Members of the Technical Review Committee reviewed the newly revised plans and application seeking a Special Use Permit to convert an existing church building to a four unit residential building located at 1568 Lonsdale Ave, Lincoln, RI. 02865. The applicant is not proposing any new exterior construction. The Technical Review Committee recommends **Approval** of this application. Originally, the Technical Review Committee struggled with the proposed parking design submitted in the application. The applicant revised the plans to include a new parking design. The TRC feels that this new parking design successfully addresses the concerns that the Committee presented at its first application review.

PLEASE NOTE: According to Town Policy, the Town Of Lincoln will not provide garbage or recycling services to properties having four or more residential units. The applicant will be required to contract a private company for all garbage and recycling services.

Paul and Ryan Chalmers, 7 Loring Drive, Lincoln, RI. 02865 - Application for Dimensional Variance for rear and side set back relief for an addition located at 7 Loring Drive, Lincoln, RI 02865.

AP 12, Lot 305

Zoned: RL-9

Members of the Technical Review Committee reviewed the submitted plans and application seeking rear and side set back relief for an addition located at 7 Loring Drive, Lincoln, RI. According to the submitted application, the property owners have outgrown their home and would like to expand on it in order to remain in the existing neighborhood and public school. The Technical Review Committee recommends **Approval** of these Dimensional Variances. The Technical Review Committee feels that the proposed location of the addition compliments the existing functionality of the residence. The Technical Review Committee feels that the application presents the least relief needed. The Technical Review Committee feels that granting these dimensional variances will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

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Administrative Officer to the Planning Board