

LINCOLN PLANNING BOARD

DECEMBER 15, 2021

APPROVED

The regular meeting of the Planning Board was held December 15, 2021. This meeting was at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Bostic called the meeting to order at 7:00 p.m. The following members were present: Ken Bostic, Jeff Almond, Tom Salvatore, Mike Reilly, Ned London, and Tom Tuytschaevers. Member DelGrande was absent. Also in attendance were Town Planner Al Ranaldi and Town Engineer Leslie Quish and Town Solicitor Anthony DeSisto.

CONSENT AGENDA

Chairman Bostic reminded that the Consent Agenda is normally voted on in total unless a member motions to remove an item. Motion was made by Member Reilly and seconded by Member Almond to accept the consent agenda as presented. Motion was approved by all members present.

4. Major Subdivision Review

- a. The Fairgrounds Subdivision AP 42 Lots 12, 13, 42, 43, & 147 Public Informational Meeting-7:00
- We Dig Investments LLC Kendall Drive Master Plan Review

Town Planner Ranaldi: Presents the proposed project as per the Technical Review Committee report dated December 7, 2021 (attached).

Attorney Nicholas Goodier on behalf of the Applicant We Dig Investments LLC does a brief overview of the project. No questions from the Board.

Victoria Howland Profession Engineer: Pare Corporation. Details the property per the plans. Chairman Bostic states that comparing the other roadways to this one, to be clear, the regulations when those roadways went in could have been different at the time. They may not have asked for a waiver. They are asking for a plus or minus a 191' waiver. Howland: Mentions that some of the properties are in the RA 40 Zone. The reconfiguration is explained. Chairman Bostic: States that in addition to that last month when we left off some clarification on that little portion of property.

Goodier: That will be dedeed to number 22. The owners consented and details the reconfiguration and it says will be further memorialized.

Town Solicitor DeSisto says this is Master Plan stage this is something that you should have. Goodier: Says the people are here and they have a written acknowledgement. They will be back next month and will expand on it if necessary.

Howland: Describes the impact to the wetlands.

Member Reilly makes a motion to open the Public Hearing, second by Member Almond.

Abutters list is read by Town Solicitor DeSisto.

Christine Howard: Has a question on the type and sizes of houses being built.

Resident 18 Kendall Drive: Question on the implication of a house that have been on a exiting lot on Kendall for 30 years and making that part of the new development.

Motion to close the Public Hearing by Member Reilly, second by Member Almond. Motion approved by all members present.

Goodier: Describes the zoning RS 20, size of which are larger than required. He describes modifying a lot. Cristifulli: Owner and Applicant. Describes the work to be done.

Member Salvatore asks Town Solicitor DeSisto about the agreement between 22 Kendall and the developer. He ask if the town is party to that agreement. Town Solicitor DeSisto: Answers no and explains.

Town Planner Ranaldi says we would like it added on to the final plan.

Resident 22 Kendall Drive. Wants the detail but has no problem.

Goodier: Has letter from 19 Jason Drive says they have no issue and a copy for the Town.

Member Reilly makes a motion to continue to January, second by Member Almond. Motion approved by all members present.

5. Minor Subdivision Review

Louisquisset Pike Subdivision
-North End Realty LLC

AP 48 Lot 34
Louisquisset Pike & Twin River Road

Preliminary Plan Review

Town Planner Ranaldi: Presents the proposed project as per the Technical Review Committee report date December 7, 2021 (attached).

Attorney John Shekarchi for the applicant describes the project status. Chairman Bostic: Questions the curbing and grassy area. Answers given to the Chairman. Chairman Bostic: States they only have one page and nothing on the project that was withdrawn. Shekarchi: Gives the Chairman the plan. Chairman Bostic: Not comfortable with what they have in front of them. Wants feedback from the Board. One member was not present and there is one new member. Discussion about the packets the Board has.

Chairman Bostic: Updates Member Tuytschaevers on the project as he was not a member of the Board when this project was presented.

Town Solicitor DeSisto:

Chairman Bostic: One Board member was not here.

Member Reilly knows the project and what they are going to get. Member Almond agrees.

Chairman Bostic: Details what they need. And asks Member Tuytschaevers if he will recuse. Member Tuytschaevers will recuse.

Town Engineer Quish: Describes the details of the bond.

Member Reilly makes a motion to approve with conditions, second by Member Almond. Member Tuytschaevers rescues. Motion approved by all members present.

Member Reilly makes a motion to delegate final approval with the Administrative Officer, second by Member Almond. Motion approved by all members present.

Member Reilly makes a motion to approve the Bond in the amount of \$46,577.00 in a form acceptable to the town, second by Member London. Motion approved by all members present.

Solicitor's Report: None

Secretary's Report: None

Motion to adjourn by Member Reilly, second by Member Almond. Motion approved by all members present.

Respectfully submitted,

Elizabeth A. Gagnon
Secretary to the Planning Board

Technical Review Report

December 10, 2021

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

Dear Honorable Members,

On Tuesday, December 7, 2021 at 3:00 PM, the Technical Review Committee met to review the agenda items for the December 15, 2021 meeting of the Planning Board. In attendance were Al Ranaldi, Michael Gagnon, Leslie Quish, Russell Hervieux, Michael Reilly, and Francine Jackson. 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 Subdivision Review

The Fairgrounds Subdivision
- We Dig Investments, LLC

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

Public Informational
Meeting – 7:00 PM
Master 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 for a Public Informational Meeting at the Master Plan Review stage.

On **November 09, 2021**, 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 **February 09, 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:

- *The Fairgrounds, Major Subdivision, AP 42 Lots 12, 13, 42, 43, & 147, Diesel Drive, Lincoln RI Master Plan Submission*, prepared by Pare Engineering, revised to December 8, 2021.
- Report entitled, *Master Plan Report for the Fairgrounds Major Subdivision, Assessor's Plat AP 42 Lots 12, 13, 42, 43, & 147, Diesel Drive and Kendall Drive, Lincoln RI Prepared for: We Dig Investments, LLC, 23 Business Park Drive, Smithfield, RI*; prepared by Pare Engineering, dated October 8, 2021.
- Town of Lincoln - Letter of Sewer Availability dated November 18, 2021.

Site Layout

The project 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. 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 committee is comfortable with the design and noted that it accomplishes the design elements discussed earlier.

According to the applicant, their team has been in contact with 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. However, the property owner wants to see if any concerns are brought out during the public informational meeting before they execute an agreement. The TRC reminded the applicant that the plans must detail the new driveway

for AP 42 Lot 129 – 22 Kendall Drive. The plans must including construction methods and materials of the driveway, lawn, sprinkler system (if applicable), fencing, lighting, mailbox, landscaping etc. No burden can be placed on this property owner.

The Technical Review Committee noted that the plans call for the abandonment of Paul Street (a paper street) that is adjacent to the subject project. The plans show that all of the abandoned property will be transferred to the subject parcel. According to Town Ordinance, when a road is abandoned, half the resulting property is transferred to each abutting property. The northwestern half of Paul Street should be transferred to AP 42 Lot 24, 47, and 48 where applicable. The Applicant's Engineer has stated that they are working with the abutting property owners (the casino) to acquire the full width. If successful, the applicant will plant an evergreen buffer where the existing paper roadway is located.

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. Therefore, a waiver is required.

Zoning

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

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 hydraulic modeling study is pending. The applicant must provide water availability letter at Master Plan stage.

Wetlands/Stormwater Runoff

Each proposed house lot will control its own stormwater runoff with individual stormwater management areas. Approximate dwelling footprints and these separate stormwater management systems for each individual lot must be designed and permitted at the Preliminary Plan stage. Applicable RIDEM and NBC permits are required at the Preliminary Plan stage.

Based on the Master Plan submission and Technical Review Committee review, the requested roadway length waiver is the only outstanding item to address. If the Planning Board approves this waiver, the Technical Review Committee feels that the applicant has successfully addressed the technical requirements of the subdivision regulations for a Master Plan review stage. The applicant plans to finalize the concerns regarding the reconfigured driveway and front yard as well as the ownership resulting from abandoning of Paul Street and appear in front of the Planning Board at their January meeting to present their findings and address any concerns brought out at the public informational meeting.

Minor Subdivision Review

Louisquisset Pike Subdivision
- North End Realty LLC

AP 43 Lot 34

Louisquisset Pike & Twin River Rd

Preliminary Plan Discussion /
Approval

This application is under the 2016 Subdivision Regulations and represents the subdivision of one lot into two residential house lots. The applicant is not requesting any subdivision waivers or

zoning variances. This project is classified as a minor subdivision and is at the preliminary plan review stage.

On December 1, 2021, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within sixty-five (65) 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 **February 4, 2021**, or within such further time as may be consented to by the applicant. A Minor Subdivision approval has a **ninety (90) day vesting period**.

The preliminary plan submission included the following:

- *“Preliminary” Lincoln, RI Minor Subdivision, prepared for North End Realty LLC, Survey of AP 43 Lot 34, Old Louisquisset Pike, Twin River Road, Zone RS-20*, prepared by Marsh & Long Surveying Inc., dated October 10, 2012 and updated on December 8, 2021.
- Letter from The Narragansett Bay Commission regarding Plat 43, Lot 34 (Proposed Lots 1 & 2), Twin River Road and Old Louisquisset Pike, Lincoln, RI, Proposed Two Lot Subdivision, dated June 4, 2021.
- Letter from Lincoln Water Commission, dated March 27, 2021, to Stephen T. Long, Marsh & Long Surveying Inc., 450 George Washington Highway, Smithfield, RI, regarding AP 43 Lot 34 – Old Louisquisset Pike.
- Letter from Level Design Group dated June 11, 2021, to North End Realty, LLC, c/o John Shekarchi, Esq., 132 Old River Road, Lincoln, RI, regarding Minor Subdivision – Preliminary Plan Submission, AP 43 Lot 34, Old Louisquisset Pike, Lincoln.
- Guarantee Bond calculated by the Town Engineer on December 7, 2021.

Site Layout

The Technical Review Committee reviewed the project submission. The original lot is 0.96 acres or 41,823 square feet and is located at the corner of Old Louisquisset Pike and Twin River Road. The original lot is in the RS-20 zoning districts. The original lot (Parcel Lot 1 fronting Old Louisquisset Pike) will be reduced to 20,049 square feet. The proposed subdivided lot (Parcel Lot 2 fronting Twin River Road) will be a total of 21,774 square feet. All proposed lots will meet the zoning district lot size requirement. No wetlands are indicated on the submitted plans.

Granite curbing presently exists along the intersection (corner) of Old Louisquisset Pike and Twin River Road. However, granite curbing does not extend the full length of the subject property's frontage. The Technical Review Committee recommends that granite curbing be installed along the entire frontage of the property. Both roadways are state owned. Therefore, the curbing installation must be reviewed and approved by Rhode Island Department of Transportation through a Physical Alteration Permit process.

During a previous review of this plan, the Planning Board questioned the installation of new concrete sidewalks along the property frontage. The applicant proposed grassed sidewalks be installed as opposed to the required concrete sidewalks. The Planning Board needs to revisit the substitution of sidewalk material and determine if this substitution is acceptable.

The applicant would like to apply for a building permit as soon as possible due to the approach of the winter months. However, the Town determined that the public improvements must be installed first and the subdivision recorded before a building permit to construct a house is issued. An acceptable alternative to installing the public improvement before a building permit is issued is to post a cash or guarantee bond for the cost of installing the improvements at a later date.

If the Planning Board is comfortable with bonding the cost of the public improvement and allowing the applicant to begin construction of a house, a guarantee bond amount of \$46,677 was calculated and includes the following: granite curbing, pavement repair, grass sidewalk installation and traffic control – See attached worksheet. This bond must remain active for two (2) years.

At the building permit stage, erosion control plans for each lot will be required. The plans must show perimeter controls, construction entrances, and silt sacks in adjacent catch basins. The proposed stormwater management systems for the new roofs and driveways must be submitted, reviewed and approved at the building permit stage of each new house. A site plan showing the proposed topography surrounding the new houses will be required at the building permit stage.

Zoning Requirements

The original lot is in the RS-20 zoning districts. All proposed lots will meet the zoning district lot size requirement. As a condition of Final Plan approval, a note must be placed on the record plan stating that, “The setbacks shown are for reference only. Actual setbacks will be determined at time of construction.”

Utilities

Public sewer and water are available and located within Old Louisquisset Pike and Twin River Road. The new proposed houses will be connected to these public utility systems. Public sewer is available from the Narragansett Bay Commission not the town. On June 4, 2021, the Narragansett Bay Commission issued a letter a sewer availability. The existing house was not connected to the public sewer system and not assessed a connection fee. Therefore, proposed Lot 1 and Lot 2 will each be assessed from the town a \$950 Sewer Assessment Fee. The fee must be paid as a condition of Final Plan approval. Public water is provided by the town. On March 27, 2021, a letter of water availability was issued from the Lincoln Water Commission.

Barring the final determination from the Board regarding the substitution of sidewalk material and the posting of a guarantee bond, the Technical Review Committee feels that the application successfully addresses the requirements set out in the Town’s Land Development and Subdivision Regulations.

Below are the proposed conditions of **Final Plan** approval:

1. Granite curbing be installed along the entire frontage of the property or a cash/guarantee bond be posted in the amount of \$46,677.
2. Granite curbing installation must be reviewed and approved by Rhode Island Department of Transportation through a Physical Alteration Permit process.
3. A note must be placed on the record plan stating that, “The setbacks shown are for reference only.”
4. Proposed Lot 1 and Lot 2 will each be assessed from the town a \$950 Sewer Assessment Fee. The fee must be paid as a condition of Final Plan approval.

The following items will be required at the building permit stage: erosion control plans for each lot, the plans must show perimeter controls, construction entrances, and silt sacks in adjacent catch basins, the proposed stormwater management systems for the new roofs and driveways must be submitted, reviewed and approved for each new house, and a site plan showing the proposed topography surrounding the new houses.

The Technical Review Committee recommends that the Final Plan Approval with conditions be delegated to the Administrative Officer.

Zoning Applications (*) – January 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.

No Applications scheduled for the January Meeting.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

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Administrative Officer to the Planning Board