

# **LINCOLN PLANNING BOARD**

July 28, 2021

## **APPROVED**

The regular meeting of the Planning Board was held July 28, 2021. This meeting was held at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

Chairman Bostic called the meeting to order at 7:20 pm. The following member were present: Kenneth Bostic, Michael Reilly, Jeffrey Almond, Tom Salvatore, and Ned London. Jeffrey Degrade was absent. William Murphy has retired from the Lincoln Planning Board.

### **CONSENT AGENDA**

Chairman Bostic reminded members that the consent agenda is normally voted on in total unless a member motions to remove an item. Motion made by Reilly to remove Item 3 a. Correspondence and Miscellaneous from the Consent Agenda, second by Member Almond. Motion approved by all members present.

### **4. Major Land Development Review**

**Cumberland Farms                      AP 31 Lots 08, 09, & 10      Public Informational Meeting -7:00pm**  
**-Kirkbrae Development Corp.      George Washington Highway                      Master Plan Discussion/**  
**Approval**

Town Planner Ranaldi: Presents the proposed project per the Technical Review Committee report dated July 20, 2021 (attached). Attorney Joelle Rocha: For the applicant. In addition, their team present. The plans have been modified and will present.

Chairman Bostic: Due to bit of a late start, Chairman asks Attorney to be brief and after public hearing is closed then answer any questions from the public. Attorney presents the site plan and advises the public that this is not the plan concept review they would then go to the Zoning Board for the permit for the gas station use. If both were approved, they would come back to the Planning Board for Preliminary Plan Review with a more through detailed review.

Phil Henry: Project Engineer, Civil Design Engineers presents a brief overview. Chairman Bostic: There are no questions from the Board at this time. Attorney Rocha: Describes the changes from the last meeting. Traffic Engineer: Francisco Lovera, P. E., McMahon Associates, Lincoln, RI presents the Traffic Impact Study for the Board. Member London: Questions the math on page 2, Site Generated Traffic. Member Salvatore: Questions potential accidents. Lovera: Responds. Member London: States high school traffic will increase traffic. Attorney Rocha: Advises they can update the traffic report to give a good picture. Member London: Questions bike traffic, and rescue. Lovera: States RT. 116 does not have sidewalks.

Motion to open the Public Hearing by Member Reilly, second by Member London. Motion approved by all members present. Abutters list read.

David Marquard 665 George Washington Highway states he received the letter but did not hear his name read from the Abutters List.

Jim Frederickson: Harris Avenue is concerned about the traffic study, signage, and school students feels it is a bad location for the type of business. He feels this will drastically change the area. He states that the areas should be professional buildings, doctor's offices and not a gas station and not Arby's. He also feels it will affect the quality of life who live in the area i.e., the three or four houses across that street and Great Road, which is at the next stop light. He asks the Board not approve this project.

Another resident wants to know about the lighting.

Chairman Bostic: States that the Board has gotten into the lighting to much but they are taking a look at it. There are LED lights. The Board will address it after the Public Hearing is closed. Henry: Lighting has not been fully vetted yet and describes the lighting. Joseph Raheb: An abutter 650 George Washington Highway. Is there 6 days a week describes the traffic shortly after 5 pm. Car back up a 10-12. Has trouble getting out of his driveway. Another question is regarding the filling and leaking of the gas tanks and what protection is there going to be. This project not meant for this type of property. There are homes across the street. Henry: There are sumps that all gauged electronically. It is continuously monitored throughout the day. McNally: Who would analyze? Chairman Bostic: I would say they would have to call Clean Harbors immediately and clean the site at the owner's expense. What he would like to see for the next meeting is something that shows if there are any safeguards from the filling area to the lines that go to the tank. If there are any leaks between point A and point B and how they are identified. Henry: There are sumps at the tank and he describes in the process in which the driver would discharge the fuel into the tank.

Phil Gould: Says there are three residential houses directly across on 116. If there is a right turn only back on to 116 all those cars that are going into the gas station and pulling back out will be sweeping lights directly across these home after dark correct, by design? Henry: Put up the plans and describes elevations. He respects the concerns.

Marquard: Lives right across the street at 665 George Washington Highway. The lights will be hitting his house and has problem with that. He is concerned about the bicycles also. The complexion of the Town will be changed and the start of a major through fare. It is not proper for the area. Wants to know when we will stop commercializing the Town. He has concerns with access Southbound. Too many commercial road already. Resident of Lincoln in Kirkbrae area and works on George Washington Highway. As 116 is a divided highway and anyone coming from Cumberland to gas stations would have to do a U turn or turn into Blackstone Valley Place and goes on to describe how she cuts through. Concerned there will be back up on to 116. She questions if we need two more gas stations and another fast food restaurant and does not believe this is good for the Town. Resident of Lincoln almost 20 years: Thinks this is a bad idea due to traffic and believes that the high school kids will go to the gas station and the Cumberland Farms and cause drastic increase in traffic. It does not fit the usage of that area as it is now. It does lead down to the bike path access at the end of 116.

Janet Kerlin: Resident of Albion. Feels the quality of life in Lincoln will be affected by fast food restaurant and gas station. Always uses that intersection of Old River Road and 116 George Washington Highway. States it is a well trafficked area. She is concerned about open space in Lincoln, light pollution from sign and will generate trash. Her main concern is the character of the area. It will be an unattractive retail operations and hopes the Board votes it down. The

Comprehensive Plan never intended retail there and it is not the appropriate place. She says keep retail out of Blackstone Valley Place.

Paul Ethier: 15 Musket Road formerly from Pawtucket. Moved to Lincoln in 1975. The pressure on the Town is expanded population and describes the increased noise. This is a duplication of services that you have on 116. He states the fallout from this project is the dumpster, the vermin, the traffic, loud radios. We do not need this lets keep that areas of 116 the way it is.

Mark (inaudible): Resident Old River Road. Wants to be on record that he is opposed to this development. He has been a resident for 32 years with his wife and raised his daughters in this Town. Says it is a wonderful community. Not opposed to Convenience Store or gas station but not in that location. He states it is out of character. It is a unique professional area. We do not need a gas station in the middle of that stretch. Lincoln has done a phenomenal job of preserving the history of the Town. Resident states she wants to keep our open space as is.

Sandra Ferretti: 17 Belmont Drive, 20 years. Agrees with what people have said about traffic increase related to the high school traffic specifically in the morning. Says we do not need another gas station. Also, she is concerned about leaving Blackstone Valley Place. Presently traffic is backed up all the way up to National Grid and this encourage the cut through. Restaurant will provide a gathering spot for kids. She is also concerned with light pollution.

Chairman Bostic: Since there are no more public comments, we will close the public hearing. Motion to close the public hearing by Member Reilly, second by Member London. Motion approved by all members present. Chairman Bostic: The Board would like to address the items that the public has next month.

Attorney Rocha: Details the design and that fact that this is a commercial property but understands that you have a residential zone across the street. There is a competing issue but this is a commercial property. She mentions the lighting. Chairman Bostic: States they really need to look at lighting with residential across the street. Town Solicitor DeSisto: The best thing that the Board can do tonight is continue this matter until next month due to the number of issues raised and they can be addressed. Some issues are interrelated. That is the best thing the Board can do at this time. That is his recommendation. Chairman Bostic: Agrees. Attorney Rocha: Understand that.

Member Reilly: States that the issues mentioned about traffic by the public does not jive with the traffic report. Something is not right. Attorney Rocha: Says that they can look at the traffic report again including the high school. Member Reilly: One of his biggest problems is the traffic and people from Arby's and Cumberland Farms and how they leave. There is a disparity with the traffic report. Attorney Rocha: They will up the report with the new traffic comments.

Chairman Bostic: We cannot read any of this because it is tiny. I think we have in our regulations a certain size of everything we are supposed to have. Attorney Rocha: Will correct the size. Chairman Bostic: Section 21 generally requires for all submissions is 18 x 24 or 24 x 36. Attorney Rocha: They will provide.

Member Reilly: It looks like both Arby's and Cumberland Farms are going to have to make all deliveries in off hours. There is no designated area. He does know what Cumberland Farms hours are going to be and this should be brought out at the next Public Hearing about the truck traffic at

6:00 – 6:30 in the morning. Board needs to know what area the trucks will be and how big the trucks will be. Attorney Rocha: Ok. Chairman Bostic: Also, detail on the fuel to the tank.

Motion to move the application to next month by Member Reilly, second by Member Salvatore.  
Motion approved by all members present.

Chairman Bostic: States that the Board would like to move Item 5, which is Lincoln Village to next on the agenda due to it being an extension. Motion for Item 5 b. on the agenda in front of Item 5 a by Member Almond, second by Member Reilly. Motion approved by all members present.

**Lincoln Village**  
-Dakota Partners

**AP 37 Lot 192 & 198**  
Bouvier Avenue

**Final Plan Approval Extension**

Town Planner Al Ranaldi: Details the application. They are asking for an extension of a full two years. It would bring them up to December 2, 2023 if approved. Dakota Partners for the Developer: Explains the extension. Member Salvatore: Questions why he didn't receive the funding? Answer: They ended up being the last one on the list to be funded. Motion by Member Reilly, second by Member Almond for a full two-year extension. Motion approved by all members present.

### **Comprehensive Permit**

Walker Lofts                      AP 02 Lots 84, 95, 96, 98 & 100  
-Walker lots L.P.              George Washington Highway

Preliminary Plan Discussion/Approval

Town Planner Ranaldi: Details the project. This meeting will be a discussion on the distribution of the Affordable Housing Units. Affordable Housing Units must be reasonably distributed throughout the complex. They must show a well thought out distribution of the units. See attached TRC Report dated July 22, 2021 (attached).

Attorney Joelle Rocha: For the Applicant. There are 98 (1) one bedrooms are which twenty-five (25) are low to moderate-income housing units. There are 22 (2) two bedroom, six (6) three bedroom, seven (7) units will be handicapped. Authorized by Rhode Island Housing. There are (25) one bedroom affordable, six (6) two bedroom affordable units and ten (10) three bedroom affordable units. We did our best in distributing them throughout the building. Len Bradley: Project Engineer describes plans and walks through plans for the parking lot. Member Salvatore: Ask how many additional visitor parking spaces were added. Bradley: They didn't add any. They had 240 parking spaces and describes the distribution of the spaces. They have more parking than the need. They will clean up fences and sidewalks.

Chairman Bostic: States they will have to figure out something for the entrance. Bradley: Describes Building C, which slopes down. The Developer wants to restore that area back the way it used to be. It will be all dug out. They eliminate unnecessary asphalt. It is a work in progress. The traffic report by Pare Corp. goal is to be done in a week or so and they will submit that report to staff. They did receive their DEM permit it was finally issued. They did a thorough response to all the comments that Leslie raised and it is in writing. They feel they have addressed all the comments. Member London: Asks if the ADA has a percentage of the parking. Bradley: Yes. They follow the state law with regards to ADA. And they evenly distribute it into the building. Attorney Rocha: Summarizes. Bradley: They will enlarge the plans.

Motion to continue the application to next month by Member Reilly, second by Member London.  
Motion approved by all members present.

### **Minor Subdivision Review**

Louisquisset Pike Subdivision  
-North End Realty LLC

AP 43 Lot 34  
Louisquisset Pike & Twin River Road /Approval

Preliminary Plan Discussion

Town Planner Ranaldi: Details the project. Per the TRC Report dated July 22, 2021 (attached).  
Attorney Shekarchi: For the applicant. Speaks about two recommendations that the Board had.  
Chairman Bostic: He want to add that the DOT has to inspect the area the sidewalk and add the  
Town Engineer to her satisfaction and that the Board is going to agree to them tonight. If the Board  
agreed. Chairman questions how wide the grass area. Shekarchi: Five (5) feet. Chairman Bostic:  
Question if it will be 5' from one end both properties all the way to the end. Shekarchi: Yes.  
Chairman Bostic; Ask if they are also aware, and doesn't want him to come back to the Board and  
say some kind of hardship, if you look across the street there is ledge that sticks out. The Board  
wants an area that the Engineer can inspect it and will be cut back. Shekarchi: More than happy to  
do that. Town Planner Ranaldi: States that one other thing they do need a bond and they have to  
come back to the Board.

Motion by Member Reilly, second by Member Almond approve the Preliminary Plan. Motion  
approved by all members present. Motion by Member Almond, second by Member Reilly for final  
plan approval to be designated to the Administrative Officer. Motion approved by all members  
present.

### **Minor Subdivision Review**

Boulevard Avenue Subdivision  
-Joshua George

AP 10 Lot 332  
0 Boulevard Avenue

Preliminary Plan Discussion  
/Approval

Town Planner Ranaldi: Details the project as per the TRC Report dated July 22, 2021 (attached).  
Attorney Shekarchi: For the Applicant. Updates the Board on the project. Chairman Bostic: Ask  
how tall the wall is. Steven Labonte: The max height is 14'. Chairman Bostic: Ask if they have a  
problem with the engineer coming out and looking. Town Planner Ranaldi: There is actually a  
different engineer for the wall. Town Engineer Quish: They would need a building permit.

Robert Jaworski: Wants to know if the retaining wall will be 40' from the back of the property. He  
would to the plan to see how this wall is going to be built. They are going to build a wall and get  
approved then start building houses. He thinks they should have the whole plan laid out. Member  
Reilly: If they do approve it, tonight we will approve everything tonight, who is going to build the  
wall first. Jaworski: Says the number of units is changing and I don't like when you say one is  
affordable income. Why don't they build one unit and duplex it can be done with all this fancy  
housing. He feels they are trying to squeeze in more units. Town Planner Ranaldi: For the record,  
these plans are available for the entire time.

Jim Burgess: Attorney and Jim Burgess review the plans. Chairman Bostic: Asks if the wall has  
been engineered already. The layout has been engineered but the structural has not been done.

Chairman Bostic: If the Board approves with the condition that before they do anything they have to  
bring a copy of the stamped drawings and the stamped survey will you be satisfied with that.

Chairman Bostic: We already had it surveyed twice. We had DEM look at it again and they had a marine biologist which very good. Each lot had its own DEM. Town Planner Ranaldi: A professional surveyor has to be hired. Chairman Bostic: The Developer has offered to have the surveyor stake everything out, foundation, a surveyor will do all the footings. That's a big deal. So there is no mistakes. You have an extra layer. He is a reputable surveyor. Attorney Shekarchi: Will agree with all the conditions and provide certified and the last survey by Steve Long.

Chairman Bostic: The Board will make sure he does everything. Chairman Bostic: Mr. Shekarchi do you agree will all the conditions before you put a shovel in the ground over there that you will produce all the paperwork for Al, the stamped drawings, the survey, some kind of letter saying that you will have Steve Long over there for the two pieces of the puzzle with the foundation.. He does the footings he marks out where the foundation goes on the footings after. No problem with that. Attorney Shekarchi: No problem with that. Chairman Bostic: Says not to go there to cut the grass until Al has all the stuff.

Motion by Member Reilly to approve the Preliminary Plan contingency as discussed, second by Member Almond. Motion.

Solicitor DeSisto: That would include the inspection of the wall, building permit for the wall and supplying to the Town Planner the stamped survey and also the marking out where the house.

Member Reilly you have a motion, second by Member Almond. Motion approved by all members present.

Motion by Member Almond, second by Member Reilly to approve the cash bond in the amount of \$45,425.00. Motion approve by all members present.

Motion to designate the final plan to the Administrative Officer by Member Almond, second by Member Reilly. Motion approved by all members present.

Secretary's Report: Motion by Member Reilly to dispense with the reading of the minutes of June 3, 2021, second by Member Almond. Motion approved by all members present.

Motion to approve the minutes of the June 23, 2021, second by Member London. Motion approved by all member present.

Solicitors Report:

Solicitor DeSisto: The briefs have been filed in the Break Hill Development. The will be sometime in September. He will advise the Board when that happens. They treat it as an oral argument. Al usually attends. Anyone can show up at the public meeting. There will be a decision on the day. It meeting will be located at the Dept. of Administration 1 Capitol Hill, right across the street from the State House.

Solicitor then talk about what is going on across the street here. It was one of the rainiest July's we have ever had with significant rainfall and that resulted in a very serious drainage issue to those that live below the Cullen Development in Quinnville. Not only was there water running off the site but

there was also silt on there through the resident's yards. DEM is on it. Leslie has been doing a great job on this. The Town has contacted with a violation notice. Leslie has been out on site with the Developer and also as well as many of the residents on this. We have asked for a remediation plan and a bond be placed to correct this situation. I will turn it over to Leslie and she will give you a quick update on the technicalities of it.

Town Engineer Quish: Was notified by phone call from James Seymour and from Jack Fenner. Those are the two people. The water breeched over and the water went rushing through their land, which is all wet lands and perimeter buffer. It also went through land owned by Jim McKee. Engineer Quish details the path of the water through the properties and went to view the properties. With DEM. Their wetlands biologist is working on the remediation plan. She is also working with Scott Rabideau. Solicitor DeSisto states that it is the Developers responsibility to pay for this. The Developers agreed to do everything.

Town Engineer Quish details how this came about. And they have a third party Engineer out there.

Chairman Bostic: Want to clarify that the Board took a beating at the Town Council meeting. He would like to take the opportunity to figure what things that we need to change and make better so that this won't happen again. One of the things that he thinks the Board needs to take a better look at was the Phasing. The Board never had the opportunity to approve the Phasing. And the Board should have been given that opportunity. Some of these things should have been put in front of the Board. These are our residents who put us here to do this. I made copies so you guys can look this is the minutes from the 2020 and reiterate what is on the minutes. One of them is that the final delegation to the Planner is on there as a condition like at the bottom. We didn't delegate final plan for this project. So it should absolutely come back to the Planning Board. The TRC recommended that the Board that we do so but the TRC is a recommendation they don't vote, they don't make decisions then just make recommends to us. That is one of the things he thinks we should make better is that when we get something from the TRC it should be that the TRC doesn't have a problem with this not that they should be saying we approve, we recommend you approve it. It is a false statement. They don't approve anything. They don't vote on anything. They don't have any final decisions. One of the other things in here was that we had the third party engineer, which is great. There was talk about what should we do I'm glad we stuck to it because now we have the defense. There was a 38-acre buffer in the back of the project why is it that the Planner and the Solicitor are going to review that and make final decisions on that why doesn't it come back to the Planning Board to look at. Then say we like it or we don't like it.

Town Solicitor: Recommends we discuss this at a future meeting and then go from there. Chairman Bostic: You want it on the agenda. Town Solicitor: Yes. Chairman Bostic: Wants to do better as a Board and do things better for people and fight with people.

Motion to adjourn by Member Reilly, second by Member Almond.

Meeting adjourned at 10:35.

Respectfully submitted,

**Elizabeth A. Gagnon**  
Secretary to the Planning Board.

## Technical Review Committee Report



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OFFICE OF THE  
TOWN PLANNER

July 22, 2021

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

Dear Honorable Members,

On Tuesday, July 20, 2021 at 3:00 PM, the Technical Review Committee met to review the agenda items for the July 28, 2021 meeting of the Planning Board. In attendance were Al Ranaldi, Peggy Weigner, Michael Gagnon, Michael Gamage, Leslie Quish, Anthony DeSisto, Jeffery Almond, and Francine Jackson. Russell Hervieux and Michael Reilly reviewed the submitted subdivision and zoning applications and submitted written comments to the Committee. Below are the Committee's recommendations.

### **Major Land Development Review**

|                             |                         |                                     |
|-----------------------------|-------------------------|-------------------------------------|
| Cumberland Farms            | AP 31 Lots 08, 09, & 10 | Public Informational Meeting – 7:00 |
| - Kirkbrae Development Corp | George Washington Hwy   | Master Plan Discussion/Approval     |

This application is under the 2016 Subdivision Regulations and represents the combination of three (3) wooded lots into one commercial lot containing one convenience store, five gas dispensers, one quick serve restaurant with drive-thru and associated parking and stormwater management systems. The project is in front of the Planning Board at the Master Plan Review stage – Public Informational Meeting.

On **June 15, 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 **September 13, 2021**, 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:

- *Site Plan Set for Cumberland Farms, Oracle #RI8815, 644, 646, 648 George Washington Highway (Route 116), Lincoln RI 02865, prepared by Civil Design Group, dated May 12, 2021.*
- *Pylon Signage, Cumberland Farms, George Washington Highway, Lincoln, RI 02865, prepared by Harrison French and Associates. LTD, Franklin, MA, dated 04-30-2021.*
- *Letter from the Narragansett Bay Commission regarding 648 George Washington Highway, Lincoln, RI, Proposed Cumberland Farms and Restaurant, to Mr. Philip Henry, Civil Design Group, LLC, dated June 14, 2021.*
- *Report titled Traffic Impact Study, Convenience Store with Gas Station and Fast-Food Restaurant, 644-648 George Washington Highway (Route 116), Lincoln, RI, prepared by McMahon Associates, Inc. 14 Breakneck Hill Road, Suite 201, Lincoln, RI 02865, and dated April 2021*

### Site Layout

The project represents the combination of three (3) wooded lots into one commercial lot containing one convenience store, five gas dispensers, one quick serve restaurant with drive-thru and associated parking and stormwater management systems. The project is located at the corner of George Washington Highway and Blackstone Valley Place. The buildings will face George Washington Highway. There is a proposed access point on George Washington Highway and one access point on Blackstone Valley Place. The submitted plans exceed Master Plan requirements.

Due to the combination of two different uses and the nature of these proposed uses, the TRC would like the proposed layout and circulation reviewed by the fire department at this stage. A letter of acknowledgement by the fire department that their concerns have been addressed or no concerns exist will be required.

An abutter to the project expressed concerns about the proposed location of the underground gas storage tanks. The tanks were proposed to be located at the lower southeastern corner of the site. The abutter is concerned about future tank failure and the possibility that the gas would travel underground onto his property. Based on this concern, the applicant relocated the proposed tanks to the middle of the fueling area along the property line fronting George Washington Highway.

The Technical Review Committee noted several conditions of approval that they would like to bring to the applicant's attention. All permits are required at the preliminary plan stage. This includes, but is not limited to, the following: Physical Alteration Permit from RIDOT, approval from the Narragansett Bay Commission, approval from RIDEM's Underground Storage Tank (UST) program, and approval from RIDEM's RIPDES/UIC/Stormwater programs. As a condition of final plan approval, all site construction shall be inspected and certified to be constructed in accordance with the plans by a licensed civil engineer. This certification shall be provided to the Town upon completion of the site work.

### Zoning

The property is zoned BL-0.5 (Business Limited). The proposed project will require a Special Use Permit for the gas station use and increased signage. The convenience store and quick serve restaurant with drive thru are permitted uses in this zoning district. Conditional Master Plan approval will be required before the project can advance to the Zoning Board.

The applicant provided their proposed pylon sign design for the two uses for general discussion with the board. The Technical Review Committee reviewed the proposed pylon signs and felt that they fit within the general design and height/massing of the existing signage along George Washington Highway.

#### Utilities

Public sewer and water are located within the surrounding public rights-of-way. The applicant must provide water and sewer availability letters at Master Plan stage. The TRC would like to note that the sewer main in George Washington Highway is a Narragansett Bay Commission sewer main. On June 14, 2021, the applicant received a sewer availability letter from the Narragansett Bay Commission. Public water is provided by the Lincoln Water Commission.

#### Wetlands/Stormwater Runoff

The proposed site layout indicates several stormwater management areas and systems. The Town Engineer reviewed these stormwater management systems at a Master Plan level and did not note any major engineering concerns. A detailed analysis will be conducted at the Preliminary Plan stage.

#### Parking

The parking for the two proposed buildings and their stated uses meet the Town's parking requirements as set out in the Town's Zoning Ordinance. However, the Technical Review Committee noted concerns with the proposed loading zones. The Technical Review Committee noted that the loading zone for Cumberland Farms blocks access to three parking spaces and the loading zone for the restaurant blocks access to 14 parking spaces as well as the exit aisle for 11 more parking spaces. At this time, it is not clear if the proposed loading zones were reviewed by the Zoning Official and determined to be acceptable.

#### Traffic

The proposed project will add two access points within close proximity to a major intersection – George Washington Highway and Blackstone Valley Place. The TRC expressed concerns about traffic congestion at the intersection. The Town prefers the driveway access on Blackstone Valley Place be located as far north as possible to avoid conflicts with queued traffic. In addition, the Traffic Analysis needs to also provide support for the proposed queue length at the Proposed Quick Service Restaurant.

While a traffic analysis is usually reviewed at the Preliminary Plan stage, the applicant provided a traffic analysis of the area. However, the town and the Technical Review Committee did not have time to review the report.

Based on the Master Plan submission and review, 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 Technical Review Committee still has some concerns regarding the project. The concerns brought out at the meeting are usually addressed at the Preliminary Plan review stage. However, the applicant has been actively working on addressing all of the committee's concerns at this review stage.

The Technical Review Committee recommends to the Planning Board to conduct the informational meeting and gather the views and concerns, if any, from the abutters. If the Planning Board feels comfortable with the applicant's presentation and the views expressed by the public, the

TRC is comfortable recommending Master Plan Approval and allow the applicant to seek the appropriate Zoning Board approvals. The outstanding concerns can then be addressed at the Preliminary Plan review stage. If the Planning Board is not comfortable advancing this application, the applicant can review next month with additional information.

### Comprehensive Permit

Walker Lofts  
- Walker Lofts L.P.

AP 02 Lots 84, 95, 96, 98 & 100  
40 Walker Street

Preliminary Plan Discussion /  
Approval

This application is under the 2016 Subdivision Regulations and represents the redevelopment of several mill buildings, formerly comprised of the “Sayles Finishing Plant”, into a one hundred and twenty-six (126) unit apartment complex with associated parking. A total of thirty-two (32) units or 25% of the total unit count will be designated and deed restricted as low and moderate income units according to RI Housing standards. The complex is proposed to have ninety-eight (98) one (1) bedroom apartments, twenty-two (22) two (2) bedroom apartments and six (6) three (3) bedroom apartments. Seven (7) units will be handicap accessible. There are twenty-five (25) one-bed affordable units, six (6) two-bed affordable units, and one (1) three-bed affordable unit.

The project was submitted as a Comprehensive Permit and has requested seven (7) waivers. The project is in front of the Planning Board at the Preliminary Plan review stage. PLEASE NOTE: Due to the size and complexity of this project, the Town and the applicant agreed to review the project in sections. The review below is of the proposed building exterior elevations and affordable unit distribution.

On **June 15, 2021**, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred and twenty (120) 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 **October 13, 2021**, or within such further time as may be consented to and obtain a written waiver of the deadline from the applicant. This review approval has a **two (2) year approval vesting period**.

This initial preliminary plan review submission include the following:

- *Preliminary Plan Submission, Walker Lofts, 40 Walker Street, Lincoln RI 02865 Assessor’s Plat 02 Lots 84, 91, 95, 96, 98, and 100, prepared by DiPrete Engineering, dated May 13, 2021.*
- *Stormwater Management Report, Walker Lofts, Located in Lincoln RI, Applicant: Walker Lofts LP, dated September 25, 2020 and revised on April 07, 2021, prepared by DiPrete Engineering.*
- *Narragansett Bay Commission – Sewer Connection Permit, Permit Number SC210009, dated February 17, 2021.*
- *Narragansett Bay Commission letter regarding Stormwater Management Plan SC210010, Mill Redevelopment, 40 Walker Street, Lincoln, RI, dated February 17, 2021.*
- *Narragansett Bay Commission – Indirect Sewer Connection Permit SC210009, Mill Redevelopment, 40 Walker Street, Lincoln, RI, dated February 17, 2021.*
- *Affordable Housing Distribution Layout, Building A – C, prepared by RL Design, 858 Washington Street, Suite 312, Dedham, MA, prepared for Walker Lofts LP, and dated July 14, 2021.*

- *Exterior Elevations and Floor Plans – Building A-D, prepared by RL Design, 858 Washington Street, Suite 312, Dedham, MA, prepared for Walker Lofts LP, and dated July 14, 2021.*

### Site Layout

This application represents the redevelopment of several red brick vacant mill properties primarily located along Walker Street. Several mill buildings that are in significant states of disrepair will be demolished and parking and green space areas will be constructed. The proposed apartment complex will consist of a total of one hundred and twenty-six (126) units with associated parking. The approved Master Plan project contained 128 units. A total 25% of the total unit count will be designated and deed restricted as low and moderate income units according to RI Housing standards. Seven (7) units will be handicap accessible.

### Parking

Parking areas are proposed in several locations around the buildings slated for renovation. A total of 240 parking spaces are proposed. The Zoning Ordinance requires 2 parking spaces per housing unit. This requirement would total 252 parking spaces. The applicant requested and received a waiver of twelve (12) parking spaces at the Master Plan review stage.

The proposed apartment complex will have several access points into the buildings. Due to the size and complexity of the project, the applicant will provide a detailed description on where future residents will park and how they will access their units. In addition, the Applicant should be aware that mill redevelopment projects often encounter unforeseen conditions. The Applicant must be willing to work with the Town to remedy any unforeseen conditions if needed.

### Zoning

The applicant is seeking a Comprehensive Permit. While the applicant had the ability to submit the application under the Mill Conversion Overlay District (MCOD), the applicant chose to submit the project under a Comprehensive Permit. The Technical Review Committee wants the Planning Board to note that the project was designed to take into consideration all of the requirements of the MCOD. At the Master Plan review stage, the Zoning Official reviewed the project and concluded that it meets the spirit and intent of the Town of Lincoln Zoning Ordinance as a mill conversion project.

Under this Comprehensive Permit, the applicant requested and received seven (7) waivers. The seven (7) waivers are as follows: a waiver to allow multi-family residential use; a waiver from the parking requirement of 2 spaces per unit. The applicant is proposing 1.9 parking spaces per dwelling unit; a waiver to exceed the impervious coverage maximum of 25% (this waiver is an existing non-conforming condition); a waiver from Zoning Ordinance Sec 260-49(I)(6) which requires that the parking areas be screened from view of adjacent residential uses and public roads; a waiver from Zoning Ordinance Sec. 260-31(B)(2) which requires that the parking spaces approach area be located off street (this waiver is requested for 22 parking spaces located along the southern face of Building 3; a waiver from the 100 foot buffer from adjacent residential use is required; a waiver of the Comprehensive Permit application fee of \$3000.00 (this waiver, if approved, will represent the town's subsidy of the affordable units as required by Rhode Island Housing).

Due to the size and complexity of this project, the Technical Review Committee wants the Planning Board to be aware that the number and type of waivers may change based on further development of the project. The Administrative Officer will work with the applicant to develop a final list of requested waivers for the next stage of review.

### Utilities

Public sewer and water are available to this property. Public sewer is available in Moshassuck Road. The Engineering Department conducted an investigation to determine the condition and capacity of the existing sewer main in Moshassuck Road. This investigation found that there is significant water infiltration in the sewer main. The developer will be required to line the sewer main in order to eliminate the existing water infiltration and increase the capacity of the sewer main. The applicant has agreed to this off-site improvement. The applicant has been working with the Lincoln Water Commission to determine how the complex will be serviced by public water.

### Wetlands/Stormwater Runoff

According to the submitted plan set, there are no known wetlands or water courses within or immediately adjacent to the subject property. Stormwater runoff from the site will be controlled by a number of engineered systems. The Rhode Island Department of Environmental Management classified the complex as a redevelopment project. This classification has specific design and review guidelines.

The proposed stormwater management systems is made up of several Best Management Practices (BMPs). The Town Engineer reviewed the proposed design and had initial minor concerns at this stage. A detailed review of the submitted Stormwater Management Plan will be conducted for next month's meeting.

### Traffic

The Technical Review Committee expressed concerns about the proposed 22 parking spaces that back onto Moshassuck Road. Currently, the Moshassuck Roadway extends over the public rights-of-way. This area looks and feels like a large unmitigated parking area. The committee expressed concerns on how the complex is going to be physically and visually separated from the public roadway and the private property. The committee discussed several design options that the applicant will review.

The Technical Review Committee expressed concerns about the future safety of vehicular and pedestrian circulation around the complex and on Walker Avenue. The committee recommended that a full traffic study be conducted and this study shall include future pedestrian circulation within the complex and along Walker Avenue. The study must also determine if intersection improvements are required at the intersections of Moshassuck Road and Walker Street, Walker Street and Smithfield Ave, or any other surrounding intersections. Review of the existing pavement and sidewalks still needs to occur.

### Exterior Building Elevations

The Technical Review Committee reviewed the submitted exterior building elevations. The applicant is proposing to bring the buildings back to their original site configuration. Many building additions will be removed and most original window openings will be reconstructed. Landscaped courtyards will be developed between the buildings. The TRC reviewed the submission and did not express any concerns at this time.

### Affordable Housing Distribution

A Comprehensive Permit application must show that the designated affordable units are integrated throughout the entire project. The applicant submitted floor plans showing the location of the affordable units in Buildings A, B, and C. Building D is a small two unit building that will not contain an affordable unit. The TRC reviewed the submission and did not express any concerns at this time.

The Technical Review Committee felt that the project is proceeding in a positive direction and looks forward to reviewing additional elements such as landscaping plan as well as the traffic analysis. The TRC identified the following items that need to be addressed. The items are as follows:

1. Approvals from RIDEM, NBC, and RIDOT are required at preliminary plan stage.
2. Have environmental investigations been conducted to determine if remediation activities are required?
3. The following additional waivers are required:
  - a. Zoning Ordinance §260-31.B(2) requires that the parking space approach area be located off-street. This is not provided for the 22 parking spaces along the southern face of Building 3. A waiver is required.
  - b. Zoning Ordinance §260-49.I(6) requires that the parking areas be screened from view of adjacent residential uses and public roads. Will this be proposed or will a waiver be required?
4. Have the documents required by §260-49.F been provided?
5. Provide updated water availability letter based on proposed demand.
6. Provide status of access agreements/property transfers/easements between the proposed development and parcel 02-086 (Western Oil).
7. Provide approval from the Saylesville Fire Department.
8. Provide a plan showing existing utilities compared to proposed conditions as the current plans make it difficult to review. There appears to be a water line running through the parking area where Stormwater Infiltration System A is located. Will this remain? Will the existing “seepage pit” southwest of AP 2 Lot 51 be removed? What other existing utilities conflict with proposed improvements? Existing utilities need to be thoroughly investigated and identified for removal or protection within the subject site as well as Moshassuck Road.
9. Provide a demolition plan.

Lincoln Village  
- Dakota Partners

AP 37 Lot 192 & 198  
Bouvier Avenue

Final Plan Approval Extension

This application is under the 2016 Subdivision Regulations and represents the redevelopment of approximately 5.19 acres of land presently containing a former convent building into a seventy two (72)-unit low and moderate-income workforce housing apartment complex. The complex will consist of three (3), three-story buildings containing twenty-four (24) units each. The complex will also contain a clubhouse and associated parking areas.

This Comprehensive Permit was reviewed and approved at Preliminary Plan stage by the Planning Board on October 28, 2020 and received Final Plan approval on December 2, 2020. A Comprehensive Permit has a one-year vested approval period. According to the Subdivision Regulations, the vesting approval period may be extended for a longer period of time, for cause shown if requested by the applicant in writing prior to the expiration of the vested approval period.

According to the applicant, Rhode Island Housing funding will be used to help finance this project. Unfortunately, the project did not receive funding this year. The applicant plans on re-submitting their application during the next funding period. The applicant submitted a letter requesting that the approval vesting period be extended for an additional two years. If approved, the vesting period will be extended to December 2, 2023. The Technical Review Committee recommends **Approval** of this request.

## Minor Subdivision Review

a. 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 May 18, 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 **July 22, 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**. An extension of the review period was granted by the applicant.

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 July 16, 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.

### 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. All proposed lots will meet the zoning district lot size requirement.

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. 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. The TRC recommends as a condition of Final Plan approval that granite curbing be installed along the entire frontage of the property. The updated site plan reflexes this request.

During the May 26, 2021, the Board questioned the installation of new sidewalks along the

property frontage. A waiver from requiring sidewalks was requested by the applicant. The applicant submitted an analysis of the existing conditions and the possibility of installing sidewalks along the property frontage. The Town Engineer contacted the RIDOT via email. Both the applicant's analysis and the Town Engineer's email exchange are provided to the Board for further discussion. During the June meeting, the Planning Board indicated that they would be receptive to 5 foot wide grass sidewalks along the frontage of the property. The updated site plan reflexes this option. The Technical Review Committee reviewed the revised site plan and finds that the proposed grass sidewalks are an acceptable alternative. The grass sidewalk installation must be reviewed and approved by Rhode Island Department of Transportation through a Physical Alteration Permit process.

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. As a condition of Final Plan approval, a letter of sewer availability from the Narragansett Bay Commission is required. 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 May 27, 2021, the applicant received a letter of water availability from the Lincoln Water Commission.

The Technical Review Committee feels that the application successfully addresses the requirements set out in the Town's Land Development and Subdivision Regulations. The Technical Review Committee recommends **Preliminary Plan Approval**.

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

1. Granite curbing be installed along the entire frontage of the property.
2. Granite curbing installation must be reviewed and approved by Rhode Island Department of Transportation through a Physical Alteration Permit process.
3. The grass sidewalk installation must be reviewed and approved by Rhode Island Department of Transportation through a Physical Alteration Permit process.
4. A note must be placed on the record plan stating that, "The setbacks shown are for reference only."
5. A letter of sewer availability from the Narragansett Bay Commission is required.

6. 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.

Boulevard Avenue Subdivision  
- Joshua George

AP 10 Lot 332  
0 Boulevard Avenue

Preliminary Plan Discussion /  
Approval

This application is under the 2016 Subdivision Regulations and represents the subdivision of one lot into four residential house lots. Two of the four lot will have single-family houses constructed on them while the other two lots will be developed as two duplexes. Granite curbing and cement sidewalks will be installed along the entire length of the property. Based on the Town's zoning ordinance, one unit must be designated (deed restricted) as affordable according to Rhode Island Housing requirements. The applicant is not requesting any subdivision waivers or zoning variances. This project is classified as a minor subdivision (four (4) lots or less) and is at the preliminary plan review stage.

On **January 30, 2020**, 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 **April 4, 2020**, or within such further time as may be consented to by the applicant. The applicant consented to an extension of this application to **July 31, 2020**. A Minor Subdivision approval has a **ninety (90) days vesting period**.

The preliminary plan submission included the following:

- *Materials & Layout Plan, Minor Subdivision, A.P. 10 Lot 332, Boulevard Avenue, Lincoln, RI* prepared by Advanced Civil Designs and dated April 2021.
- *Grading, Drainage, & Utility Plan, Minor Subdivision, A.P. 10 Lot 332, Boulevard Avenue, Lincoln, RI* prepared by Advanced Civil Designs and dated April 2021.
- Letter from Lincoln Water Commission, dated January 8, 2020, to Joshua George, 42 Star Avenue, Riverside, RI 02915, regarding AP 10 Lot 332 subdivision – Boulevard Avenue.
- Letter from Lincoln Town Engineer, dated February 13, 2020, regarding Boulevard Avenue, AP 10, Lot 332.

#### Site Layout

The Technical Review Committee reviewed the project submission. The original lot is 31475 square feet and is located along Boulevard Avenue. Proposed Lot A will be 7368 square feet in size, Lot B will be 7025 square feet in size, Lot C will be 8568 square feet in size, and Lot D will be 8514 square feet in size. The original lot is in the RG-7 (Residential General) zoning district. All proposed lots meet the zoning district lot size requirement.

The original lot directly abuts Scotts Pond. This wetland and its buffer were identified and flagged by a professional wetlands biologist. The entire project was reviewed and two Insignificant Alteration Permits were issued by the Rhode Island Department of Environmental Management (RIDEM). Lot A received its own RIDEM permit in November 2019. Proposed Lots B,C, and D received a joint permit in June 2021.

The existing grade of the site slopes significantly to Scotts Pond. The applicant proposes to install a precast block retaining wall engineered and designed by a licensed professional engineer. This retaining wall will span the entire length of the lot.

Granite curbing and cement sidewalks will be installed along Boulevard Avenue. Due to the

size of the future construction area, the Town is requiring the applicant to install these public improvements after the construction of the proposed houses. Installing these public improvements at the end of construction will preserve the integrity of them and ultimately make for a better finished project. The Town Engineer calculated a Performance Bond to cover the cost of installing these improvements if the developer fails to install them. The bond amount is \$45,425 and must be in the form of cash. Therefore, as a condition of final plan approval, the applicant must supply the Town with a cash bond in the amount of \$45,425.

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 RG-7 (Residential General) zoning district. All proposed lots meet the zoning district lot size requirement. Based on the Town's zoning ordinance, one unit must be designated (deed restricted) as affordable according to Rhode Island Housing requirements. As a condition of Final Plan approval, the applicant must engage the services of an Affordable Housing Monitor agent and provide the Town with a copy of the executed service agreement. As a condition of Final Plan approval, the applicant shall provide the Town will draft deed restrictions as approved by the monitoring agent. 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." The applicant should note that these conditions of approval must be completed BEFORE construction can begin on three of the four houses. With this in mind, the TRC suggests to the applicant to request an approval vesting period extension from 90 days to one (1) year. This extension will afford the applicant the time to complete the conditions of approval, if needed.

### Utilities

Public sewer and water are available and located within Boulevard Avenue. The applicant has provided the town with the required letters of availability. The applicant must provide the Town with an updated water letter. The original water letter is only valid for one (1) year. A full curb to curb asphalt restoration of the street is required per State law. The existing lot was not connected to the public sewer system and not assessed a connection fee. Therefore, proposed Lots A, B, C, and D 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 Technical Review Committee feels that the application successfully addresses the requirements set out in the Town's Land Development and Subdivision Regulations. The Technical Review Committee recommends **Preliminary Plan Approval**.

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

1. The applicant must supply the Town with a cash bond in the amount of \$45,425.
2. The applicant must engage the services of an Affordable Housing Monitor agent and provide the Town with a copy of the executed service agreement.
3. The applicant shall provide the Town will draft deed restrictions as approved by the monitoring agent.
4. 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.”
5. The applicant must provide the Town with an updated water letter.
  6. Proposed Lots A, B, C, and D will each be assessed from the town a \$950 Sewer Assessment Fee. The fee must be paid as a condition of Final Plan approval.

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

**Boston Solar, 55 Sixth Road, Woburn, MA. 01801** – Application for Special Use Permit for utility scale rooftop solar array on a commercial building located at 8 Court Drive, Lincoln, RI. 02865  
AP 28, Lot 114                                      Zoned: ML-0.5

Members of the Technical Review Committee reviewed the submitted plans and application seeking a Special Use Permit for the installation of a utility scale roof top solar system for property located at 8 Court Drive, Lincoln, RI. The Technical Review Committee recommends **Approval** of this Special Use Permit. The installation will be located on the rooftop of the existing building and will not exceed the permitted building height. The Technical Review Committee feels that the Special Use Permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Respectfully submitted,

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

Albert V. Ranaldi, Jr. AICP  
Administrative Officer to the Planning Board