

Town of Lincoln
Zoning Board of Review
100 Old River Road, Lincoln, RI
Minutes of May 3rd, 2021 Meeting

Present: David DeAngelis- Chairman, Kazem Farhoumand, Lori Lyle- Vice Chairperson, John Mancini, Stephen Kearns, Frank Spezzano, Attorney DeSisto

Excused: Charles Ruggerio,

Minutes: March minutes approved

Correspondence:

Applications:

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 2.

Chairman: Motion to accept the minutes of the March meeting.

Motion made by Member Kearns, second by Member Mancini. All in favor.

Chairman: First item on the agenda is a continuance, Terrapin Properties, church conversion property. Question, who was sitting on this application? Due to the absence of Member Ruggerio, members sitting on this app are myself, Member Farhoumand, Vice Chairperson Lyle, Member Kearns and Member Mancini.

Applicants are present. This is the fourth time the applicant has been here. There has been a lot of testimony put on the record. I am not going to read any of the standards that have been done. Where we left off was five items that we asked at the last meeting to provide for this meeting. If those items were provided we were fairly certain we would have an answer tonight. Those items were 1. Plan stamped by a land surveyor and not an engineer, 2. Parking plan that clearly addresses the residents not having to back onto the street. 3. Dumpster access and adequate trash removal truck navigating through property. 4. Conceptual landscape plan to alleviate some of the neighbor concerns 5. Have the project engineer present tonight.

Beau Akers: Start with the land survey, the survey was stamped by a land surveyor and not an engineer. The land survey has been taken care of and provided to The Board. The landscaping plan has been provided.

Member Farhoumand: The produced survey has been stamped by a land surveyor in June and that is satisfactory. This was needed because of neighbor concerns about property lines.

Beau Akers: the professional land surveyor has looked at the property lines and

Member Farhoumand: Parking?

Beau Akers It was requested that we make provisions, TRC has approved the professions, as requested I have brought the engineer for tonight. What were the other concerns?

Chairman: Dumpster access, and conceptual landscape plan.

Beau Akers: The landscape plan I will touch upon, but the other concerns I will let the Engineer address, Mr. Demeco.

Member Mancini: This plan, it identified specific shrubs and such, if this is approved who enforces the plan as it is stated here.

Chairman: This comes up a lot. If there's a condition, the condition needs to be as specific as possible, to be enforced.

Zoning Official Hervieux: The chair is right, unless you put a condition it has to be very specific. The applicant has to submit a plan as an as built (by a professional) that plan would have to be on record. You would make a condition for this plan, submit a landscape by an architect of what was planted before c/o sent.

Attorney DeSisto: If they (the property owner) does not comply it would go to municipal court.

Member Kearns: The boundary line seems to be (on Lonsdale Main) seems to be outside the property boundary line. And the turnaround for the cars, those two dark areas extend into The Town's right-away.

Engineer D'Amico: David D'Amico, professional engineer with the D'Amico engineer and technologies. *is sworn in. The grass area goes over The Town right away the pavement just goes there is no deviation between the road and behind the building. The proposal is to take up all that pavement up to the gutter line and then plant in this area here. Anything on The Town's property, but is maintained by all the owners. One of the positive things is it is a green area and limits additional pavement. This is positive for the draining as well as adding greenery.

Member Kearns: Has the town approved this plan, at what point would you need approval?

Engineer D'Amico: The next step would be a building permit.

Beau Akers: This will not be going to the planning board, this will only go to zoning. It has already been approved by the TRC.

Chairman: Parking plan and dumpster concerns. How the vehicles coming in off of Lonsdale Main St. will navigate and a dumpster removal would navigate safely

Engineer D'Amico: relative to Lonsdale Main St, looking at existing conditions on the road. From Front Street down to Lonsdale, it is all multifamily 6-8 units. Almost all have to be a dozen that back out on the one way road way. This section is not curved, from this point on it is a rural section of Lonsdale.

Member Mancini: Isn't there a parking area across the street

Engineer D'Amico: yes, this dash line is the end of paving. There is a lot of room there, I don't think we would need that pavement for this particular parking. We needed 4 more to cover the parking. I felt that looking at the rest of Lonsdale Main St. that has the spots very similar along the road would be safe and consistent with what is going on already in the environment. It is consistent with the roadway and I believe if we have more play because it is not curved. Really there are less restrictions than the other section. A lot of residents seem to park on Lonsdale Main St. in that curved section. I feel, this is safe with this proposed configuration.

Member Kearns: The road is one way? Which way

Engineer D'Amico: Right to left direction

Member Kearns: Dumpster will come in, pick up the can and back up and go?

Engineer D'Amico: Correct, I think one of the other designs were moving the parking in, these are well more than the required measure of 9x20.

Member Farhoumand: Is Lonsdale Main Street a town or State Road?

Engineer D'Amico: Town, but Lonsdale Ave is a State.

Member Farhoumand: What is the traffic volume on Lonsdale Main Street?

Brings up member of the community for reliable flow of Lonsdale main

Chairman swears in Denis Przybyla.

Denis Przybyla: very little traffic, i back out all the time. *likes the greenery, rather than the fence.

Chairman: Any other questions for the applicant or Mr. D'Amico?

Vice Chairperson Lyle: Lighting? It is one of the standards,

Engineer D'Amico: Lighting on the building for the front and back, LED lighting. One light on the pole in the center island, on the front of the building and the back. Lighting all around, it is dark sky compliant radiating down.

Vice Chairperson Lyle: Are the landscaping fast growing?

Engineer D'Amico: They look like slow growing maples.

Member Mancini is ready to make a motion

Chairman: Does anyone have the TRC report for this application? 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 Planning Board 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 Planning Board feels that this new parking design successfully addresses the concerns that the Committee presented at its first application review.

No public comment.

Member Mancini motion to approve this application.

1. The use is permitted in the exact subsection in The Ordinances that its permitted in. 260-9C authorizes Special Use Permit. 2. The Special Use Permit meets all the criteria in the Zoning Ordinance such as parking and lighting and various use regulations. We went through this lighting is not an issue, parking is satisfactory to The Board now. 3. The Special Use Permit will not alter the general character of the neighborhood. No, there are various multifamily homes in this particular area and it would fit in. 4. The Special Use conforms with the Comprehensive Plan and Zoning Ordinances. Always looking for additional housing for people The Comprehensive Plan encourages housing in this area. Condition: The landscape plan must be followed as what was submitted tonight.

Second by Member Kearns

Chairman polls The Board

Member Farhoumand: Aye

Vice Chairperson Lyle: aye

Member Mancini: aye

Member Kearns: aye

Chairman: aye

Special Use Permit has been granted

Paul and Ryan Chalmers, 7 Loring Dr., Lincoln RI 02865 – Application for Dimensional Variance for rear and side setback relief for an addition located at 7 Loring Dr., Lincoln, RI 02865.

AP 12, Lot 305 Zoned: RL-9

Chairman: Application for Dimensional Variance for construction to a single family home, applicant is asking board for relief. The proposed addition, 9.6ft from the west side, 10 ft. is required. .4 ft. of side relief on the west side. 19.6ft from rear and 40 is required, 20.4 ft. of relief in rear. Front entry porch 21ft, 25ft is required a difference of 4 ft. from front porch. Existing house is 9.65ft from east and 10ft is required- this is an existing nonconforming. Survey has calculations for lot coverage, lot coverage is ok.

Paul and Ryan Chalmers: Sworn in

5 standards read into record by Chairman DeAngelis

1. Is there a hardship due to unique characteristics of land that is not any physical or economic disability?
2. Is that there's a hardship that results and it's not from any prior action of yourself, and it does not result from the desire to realize any greater financial gain.
3. Granting of the variance will not alter the general character of the neighborhood.
4. What is asked of the Board is reasonable and least relief necessary.
5. For a dimensional variance is there a hardship that's more than a mere inconvenience, which results in you needing this variance

Ryan Chalmers: We bought this house 10 years ago, for the Town and the school system. We thought this was going to be a starter house. We have three boys, we have friends and family in the neighborhood. We don't want to go further. A three bedroom house we need more room. With the housing market we would like to have the addition rather than move.

Chairman: Looking at the house, the garage to the left, breezeway and the house. Are you looking to go up?

Paul Chalmers: What we are looking at doing is move the garage and mudroom closer to the street to make it even to the front of the house. Not going up, looking for the addition in the back. We will be knocking down the garage and mudroom because of the foundation.

Chairman: Did you explore further areas to have this addition?

Ryan Chalmers: Yes, to go up but it was too much work, and the foundation was not strong enough. We looked above the garage but we want to keep it one level.

Paul Chalmers: The foundation would not be strong enough to go up.

Chairman: looking at the house, how will it impact differently in the neighborhood? Ranch houses, any two stories?

Paul Chalmers: a few two stories, there's a mix,

Chairman: bring the garage and mudroom up, it will be consistent to the front?

Paul Chalmers: The new would be the same mudroom, open the kitchen wall, same 2 car garage. The addition would be a bedroom and bathroom.

Vice Chairperson Lyle One bath to two baths, three bed to four bed.

Paul Chalmers: When you look at the plans the deck will be there but not where it is. That deck is not going to be there. I don't want a deck, it will be grass.

Vice Chairperson Lyle the existing deck will be connected but neither one will be there?

Ryan Chalmers: Taking the garage out we will have to take the deck out and not putting back up

Member Mancini to Zoning Official Hervieux: Without deck would that satisfy lot coverage,

Zoning Official Hervieux: Yes it would

Member Kearns: you could put a patio

Paul Chalmers: yes

Questions?

Member Mancini: The front porch, how wide will that be?

Ryan Chalmers: It wouldn't be further out than existing steps

Paul Chalmers: 4ft coming off front of how, where the existing steps are.

Mancini: the right side when it was built didn't comply with the set back. That would have to be a consideration too.

Chairman: Covered, that's the only logical place to put addition. Questions? No record of the TRC.

Attorney DeSisto: No matter what the decision of The Board is, decisions drafted should include the TRC report.

Chairman: The TRC report will be included in the drafted decision.

Attorney DeSisto: TRC decision was to approve.

Chairman: Public comment

David Hart: Sworn in. Neighbor, there are a few additions that have been added, you will not see from the street. Familiar with the house. Good idea. For the approval of this application.

Erin Gregory: Property owner directly behind. Concern is the proximity to the rear, a lot closer to property. Concerned with fire hazard, with property now being closer. Detached garage is about 10ft from the property.

Member Mancini: is there a fence

Erin Gregory: yes.

Vice Chairperson Lyle: What is your concern?

Erin Gregory: Fire hazard.

Paul Chalmers: To make this fit, I shortened the driveway of a car to limit going too far back.

Chairman: What year was the house built?

Paul Chalmers: 1957

Chairman: Because you are putting in addition with bedrooms they would require a smoke detector to be hardwired in.

Paul Chalmers: Understands the fire concern, is a firefighter and has much fire protection.

Member Mancini makes a motion to approve the application.

1. Is there a hardship due to unique characteristics of land that is not any physical or economic disability? No there are no hardships to the unique characteristic, the reason is due to family growth

2. Is that there's a hardship that results and it's not from any prior action of yourself, and it does not result from the desire to realize any greater financial gain. No, it is based on expanding family.

3. Granting of the variance will not alter the general character of the neighborhood. There are other houses similar to theirs that have added additions.

4. What is asked of the Board is reasonable and least relief necessary. It is.

5. For a dimensional variance is there a hardship that's more than a mere inconvenience, which results in you needing this variance. If it wasn't approved the boys would have to share a room.

Condition: When TRC report is handed to us it will be in the report, and the deck reflected on the plan will not be built

Second by Member Kearns

Chairman polls The Board

Vice Chairperson Lyle: aye

Member Spezzano: Aye

Member Mancini: aye

Member Kearns: aye

Chairman: aye

Dimensional Variance has been granted

Zoning Official Hervieux: Four new applications for June. July 12th is the date for the July meeting.

Chairman: If we need to scrap July 12th, how soon.

Zoning Official Hervieux: Two weeks. Historically we don't have anything planned for the week of July 4th.

Motion to adjourn Vice Chairperson Lyle, second by Member Kearns. All in favor.

