

Town of Lincoln
Planning Board
100 Old River Road, Lincoln, RI
Minutes of July 31, 2024, Meeting

Meeting of the Planning Board was held on July 31, 2024. This meeting was at the Lincoln Town Hall, 100 Old River Road, Lincoln, Rhode Island.

This was an in-person meeting. The public was able to view the meeting in person or by utilizing the web streaming available on <https://lincolnri.civicclerk.com/web/home.aspx>.

Application materials are available on the Planning Department's webpage:

<https://www.lincolnri.gov/181Planning>

Chairman Ken Bostic called the meeting to order at 7:00 p.m.

Present, Chairman Ken Bostic, Member Tom Tuytschaevers, Member Meagan Bellamy, Member Jeff Almond, and Member Ned London.

Also in attendance: Town Planner Davies, Town Engineer Quish, Attorney DeSisto and Mark Hartmann.

3. Development Plan Review:

A. 89 Industrial Circle Mixed Use AP 2 Lot 113 Development Plan Review Lucy E. Throckmorton 89 Industrial Circle Public Hearing

Town Planner Davies: This project consists of redeveloping a mill building located on 89 Industrial Circle into a mixed-use building. The building will be renovated to include office space on the first floor and there will be two residential units on the second floor. The Applicant has indicated he is not building affordable units. While the footprint of the building will not change, improvements to the interior and exterior of the building are necessary. The project also includes the construction of a parking lot to serve the building. The property abuts Bleachery Pond with RIDEM buffers and jurisdictional areas projecting into the property. The required permit from RIDEM has already been obtained (Permit 23-0022). It is our understanding that the building is connected to an older sewer that runs through the property. The exact location of the older sewer is unknown and must be further investigated. The TRC recommends a condition of approval that this sewer be further investigated, protected, and an easement be provided to the Town of Lincoln if one does not exist. The TRC recommends a condition of approval that the building be connected to the new sewer located in Industrial Circle. TRC Recommendations*:

*The TRC review is advisory in nature, and in no case shall the recommendations of the TRC be binding on the Planning Board in its activities or decisions. A. Development Plan Review Recommendation: Based on the submitted materials and the discussion during the June 13th TRC meeting, the TRC found that the application successfully addresses the technical requirements and is consistent with the Comprehensive Plan. The TRC unanimously voted (5-0) to recommend the Planning Board adopt the findings of fact and APPROVE the application with the following conditions:

1. If the existing building is found to be connected to the old mill sewer, the building be connected to the new sewer located in Industrial Circle.
2. The older mill sewer shall be further investigated and protected if found on property. Town Engineer or Public Works Director must be present to witness investigation.
3. The stone culvert running through the property from Industrial Circle to Bleachery Pond must be added to the plan and it must be protected during and after construction.
4. The wrought iron fence along the frontage shall remain with the exception of the driveway openings.

Kerrin Browning: Development plan review. Built in 1847, 7000 sq./ft. (just under). Adaptive reuse project- intended to revitalize property. Residential upstairs and office units first floor. In agreement with conditions for the TRC.

Chairman: Read TRC conditions. 1- If the existing building is found to be connected to the old mill sewer, the building be connected to the new sewer located in Industrial Circle. 2- The older mill sewer shall be further investigated and protected if found on property. The Town Engineer or Public Works Director must be present to witness the investigation. 3- The stone culvert running through the property from Industrial Circle to Bleachery Pond must be added to the plan and it must be protected during and after construction. 4- The wrought iron fence along the frontage shall remain with the exception of the driveway openings.

Kerrin Browning: In agreement.

Motion to open public hearing. Motion made by Member Almond. Second by Member London. All in favor.

Mora S. of 111 Walker St: Concerns with the dumpster at the end of the property. Main concern with the dumpster. Concerns with the road flooding with all the asphalt. Dumpster can be removed and the last two parking spaces.

Town Planner Davies: Read email from Pamela Hunt.

Good afternoon,

I am not able to attend tonight's Public Hearing on the proposed development project at 89 Industrial Circle. As an abutter, I am concerned with the following:

1. What type of businesses are going to be in the building? We already have a Marijuana Store less than a mile away on Lonsdale Avenue in Central Falls.
2. There is already an increase in traffic from the Mill Apartments and especially large trucks going in and out of Industrial Circle Day and night. At times during the school year, the traffic backs up at the Smithfield Avenue traffic light to pass Pond Avenue. It is almost impossible to get out of my driveway due to all the buses passing by to go to Saylesville and Fairlawn schools in the morning and around 3-3:45 Monday - Friday.
4. Where will the dumpsters be located? I hope it is not visible from my front steps.
5. Where will the children go to Elementary School? I am aware of 2 children who live on Smithfield Avenue and for the past 2 years they have been bused to Lonsdale School due to overcrowding at Saylesville Elementary School. There will possibly be children living in the apartments. I have the same concern with the 4-unit apartments being constructed on the corner of Smithfield Avenue and Higginson Avenue. Where will any elementary students go to school if they move there?

Motion to close public hearing- motion made by Member Almond. Second by Member London. All in favor.

Kerrin Browning: Dumpster concern, there is a large tree behind the dumpster and will provide more if The Board suggests it. There is a fence too around the dumpster.

Member Tuytschaevers: What kind of fence?

Applicants Engineer: Screening fence/ cedar and existing tree, and existing wrought iron fence.

Member London: Those two spaces someone asked to have them removed.

Applicants Engineer: We meet the required parking spaces; we are above it.

Kerrin Browning: The issue with removing is we already went to DEM and would be a burden to open that process back up.

Attorney DeSisto: Required 13 spots, they have 15 proposed.

Member Bellamy: Drains?

Engineer for applicant: No, it is permeable pavement.

Chairman: Traffic won't be drive through style, it won't be terrible.

Kerrin Browning: No, steady stream of traffic.

Town Planner Davies: Recommends evergreen shrubs around the dumpster.

*Town Engineer Quish will work with developers on the vegetation near the dumpsters. *

Kerrin Browning: Agrees if conditions are made to work with Town Officials.

Condition #5 shrubs around dumpster

Motion to adopt findings and facts with the additional condition #5- motion made by Member Almond. Second by Member London. All in favor.

4. Minor Subdivision

A. Joyce Plat AP 25 Lot 67 Preliminary Plan Jill & Brian Joyce 3 Old Jenckes Hill Rd

Town Planner Davies: This project consists of subdividing one 1.7-acre residential property into two residential properties. There is an existing single-family residence on proposed Parcel A that is to remain. The subdivision is classified as a minor subdivision however waivers are requested for curbing and sidewalk requirements. There is a wetland along the northern side of Proposed Parcel B which has buffer and jurisdictional areas projecting into the property. The Applicant has already obtained permits from RIDEM for the construction of a single-family dwelling. Waivers: There are three waivers that are being requested:

1. Section 23 Article A(4) to not provide granite curbing. (all lots)
2. Section 23 Article A(5) to not provide concrete sidewalks.(all lots)
3. Section 22 Article E(3) to allow an interior lot angle to exceed the 200 degree maximum.(Parcel A only)

The TRC recommends a condition of approval that all easement documents be provided prior to final plan. The TRC also recommends a condition of approval that a generator be provided to ensure pump operation during power outages. TRC Recommendations*:

*The TRC review is advisory in nature, and in no case shall the recommendations of the TRC be binding on the Planning Board in its activities or decisions.

A. Minor Land Development Recommendation: Based on the submitted materials and the discussion during the June 13th TRC meeting, the TRC found that the application successfully addresses the technical requirements of the Subdivision Regulations for a Preliminary Plan review stage and is consistent with the Comprehensive Plan. The TRC unanimously voted (5-0) to recommend the Planning Board adopt the findings of fact and APPROVE the Minor Subdivision preliminary plan application with the following conditions:

1. Notification to abutters as outlined in Section 7 of the Land Development and Subdivision Regulations occur. Should a written objection be received, a public hearing shall be scheduled at the next available Planning Board meeting.
2. All easement documents be provided prior to final plan.
3. A generator be provided to ensure pump operation during power outages.
4. RIDOT PAP and Narragansett Bay Commission Permits be provided at the time a building permit is requested.
5. A drainage system, designed by a professional engineer, be provided at the time a building permit is requested addressing shallow groundwater concerns.

Permits: The applicant has already provided the required RIDEM permit. A RIDOT Physical Alteration Permit and a Narragansett Bay Commission are still required and the TRC recommends a condition of approval that these be provided at the time a building permit is requested. Grading and Drainage: A minimal amount of fill grading is anticipated for construction of the dwelling and driveway improvements. Drywells are proposed to infiltrate stormwater, however shallow groundwater conditions may prevent effective infiltration. TRC recommends a condition of approval that a drainage system, designed by a professional engineer, be provided at the time a building permit is requested addressing shallow groundwater concerns.

Applicant Engineer: Heard back from RIDOT, we will be submitting back with comments for PAP and NBC regarding sewer.

Motion to open public comment- Motion made by Member Almond, second by Member London. All in favor.

Denise Johnson: Worried about the wetlands and water in basements with the construction. Also concerned about wildlife. Where will the water be going?

Maria Furtardo: Agrees with Denise on drainage. Concerned with water issues for this project.

Barry Gilbert: Does this Board require mitigation of the water issues for this project?

Chairman: We can require property owners to maintain their own water runoff.

Town Engineer Quish: There were some State Legislature changes. A wetlands buffer could not be part of buildable lots, that has changed and now it can be within a buildable lot. Groundwater is an issue for the town. One condition is no basements so no pumping. They need a drainage system in conjunction with the conditions. They need to come up with something in the building permit stages. You could put a condition, drains need to hold 100-year storms.

Attorney DeSisto: What happens if the drainage plan does not adequately address it?

Town Engineer Quish: I wouldn't approve it until it addresses it.

Member Tuytschaevers: The issue is only to approve subdivision?

Town Planner Davies: Contemplating waivers.

Attorney DeSisto: Risk for developer going forwards without knowing draining.

Member Tuytschaevers: Not enough info to make a decision.

Member Bellamy: Would curbing/sidewalks have any impact on drainage?

Town Engineer Quish: There's no curbing on Old Louisquisset Pike, bad drainage on Old Jenckes Hill- there's one house with curbs the issue with adding curbing is the narrow road width.

Attorney DeSisto: Have to make findings with no significant negative environmental impact. Until Aug. 3rd to make a decision. Best is to follow the Town Engineers recommendations.

Applicant Engineer: Would like to discuss with Towns Engineer. Water is 6.5ft below grade.

Town Engineer Quish: Did not read that from plans. I want to look at this.

Applicant Engineer: I don't think it will be an issue with water and drainage.

Attorney DeSisto: Agreement to extend from 8/3 to 9/3?

Applicant Engineer: Yes.

Public comment closed- motion made by Member Almond, second by Member London. All in favor.

Motion to consent to agreement with applicant to extend deadline to September 3, 2024- for next month's meeting. Motion made by member Almond. Second by Member London. All in favor.

5. Comprehensive Permit Review

A. Cobble Hill Crossing AP 19 Lot 34 Preliminary Plan Seminole Development, LLC 0 Old Louisquisset Pike

Town Planner Davies: This Comprehensive Permit project involves the development of ten (10) duplexes for a total of twenty (20) dwelling units. The applicant proposes all twenty (20) units to be affordable, deed restricted for 99 years. The subject property is 5.8-acres and is located south of Cobble Hill Road in between Eddie Dowling Highway (route 146) and Old Louisquisset Pike (Route 246). The project will have vehicular access from existing frontage on Old Louisquisset Pike, no new roadways are proposed. The applicant proposes to subdivide the property so that the billboard on the southern portion of the site is not on the same lot with the proposed development. The lots are intended for condo-style ownership with exclusive areas indicated within the HOA documents and condominium plan, but with most of the property to be common space with shared responsibility. The applicant proposes public water and sewer connections to enter the property at one point and then extend to the dwelling units from within the subject property. In concert with the requested waiver to install curbing and sidewalks, this design allows the applicant to avoid having to repave a large portion of Old Louisquisset Pike.

Further discussion on traffic pattern with Traffic Engineer.

Shanna Gear: Average daily traffic based on ATR conducted on Wednesday, January 18, 2023.

Weekday AM peak hour volumes occurred between 7:15 am-8:15am. Weekday PM peak hour volumes occurred between 4:45pm-5:45pm. The average daily traffic on Old Louisquisset Pike south of Cobble Hill Rd is approximately 8,680 vehicles per day, with 2,980 northbound vehicles and 5,700 southbound vehicles. The 85th percentile speeds on Old Louisquisset Pike were measured to be 42 mph and 44 mph in the northbound and southbound directions, respectively. These measured 85th percentile speeds are higher than the posted speed limit of 35 mph.

***Concerns from The Board with driveway one, it falls within site distance required at 325-350 on the table provided.**

Dan Campbell: Not removing the rock. The earthwork will be level at the end of the property through the intersection- the whole thing will be cleared and graded. The rock along Cobble Hill Rd is not ours and will not be graded, it is not part of the property. The stop- sight distance means the person driving seeing something pulling out not the other way around, it is about the person on the road seeing.

Chairman Bostic: Confirm 15ft of brush will be able to be cleared.

Campbell: Everything along the frontage will be cleared and graded.

Town Engineer Quish: TRC traffic recommendation; The TRC recommends a condition that sight distance calculations be provided as part of the final plan submittal. Old Louisquisset Pike is a state road and as such a permit from RIDOT is required. The TRC recommends a condition that the RIDOT Physical Alteration Permit be provided prior to Final Plan Approval. Please note that an application to RIDOT has already been submitted.

Chairman: When the State put in improvements, any accommodations for sidewalks.

Campbell: I don't believe so. Country drainage, our outstanding permit is DOT

Town Engineer Quish: It does appear to have curbing and sidewalks near the intersection. Once the grading site from parking spot 3 is fine. 11 and 12 are no longer part of the proposal. When they did the traffic study CCRI wasn't in session.

Campbell: Would just indicate more people traveling on the road.

Member London: Seems the same as the last application: No basements due to high water?

Campbell: Due to higher water table and owner basements are more expensive and would hinder the affordability aspect. They are designed for a 100-year storm.

Member Bellamy: Each unit individually; the land maintained by an LLC?

Campbell: Condo Association.

Member London: 11 and 12 change?

Member Tuytschaevers: No longer part of the project.

Member Bellamy motion to approve preliminary plan with requirements of the TRC and conditions. Second by Member Almond. All in favor.

6. Review of Minutes

Motion to dispense minutes motion made by Member Almond, second by Member London. All in favor.
Motion to accept amended minutes, motion made by Member Almond, second by Member London. All in favor.

7. Adjournment

Meeting adjourned at 8:35pm. Motion to adjourn made by Member Almond. Second Member London. All in favor.

Submitted respectfully,

Grace Gervais