



Town of Lincoln

Ordinance Committee Meeting

September 14, 2026 at 6:30 PM
Lincoln Town Hall

AGENDA

A. Call to Order

6:30 PM Meeting called to order on September 14, 2026 at Lincoln Town Hall, 100 Old River Road, Lincoln, RI.

This meeting will be held as a hybrid meeting, with the Council meeting in person and the public may participate in person or by utilizing the web streaming available on www.lincolnri.gov, and emailing comments to meeting@lincolnri.org. Streaming of the meeting is not always guaranteed.

B. Approval of Previous Meeting Minutes

- Minutes of August 17, 2026

C. Ordinances for Review

- 2025-13**

Zoning Ordinance Amendment: Section 260-32 - Additional Residential Requirements & Access Easement Deed and Agreement

History:

Date	Meeting Body	Action
08/19/2025	Town Council	Referral to Committee
09/09/2025	Ordinance Sub Committee	Deferred in Committee
10/20/2025	Ordinance Sub Committee	Deferred in Committee
11/17/2025	Ordinance Sub Committee	Deferred in Committee
12/15/2025	Ordinance Sub Committee	Deferred in Committee
01/20/2026	Ordinance Sub Committee	Deferred in Committee
02/09/2026	Ordinance Sub Committee	Deferred in Committee
03/16/2026	Ordinance Sub Committee	Deferred in Committee
04/20/2026	Ordinance Sub Committee	Deferred in Committee
05/18/2026	Ordinance Sub Committee	Deferred in Committee

06/15/2026	Ordinance Sub Committee	Deferred in Committee
08/17/2026	Ordinance Sub Committee	Deferred in Committee

2. **2026-10**

Amendment to Section 183-8 Violations and penalties in the Parks & Recreation Chapter

History:

Date	Meeting Body	Action
06/16/2026	Town Council	Referred to Committee
08/17/2026	Ordinance Sub Committee	Deferred in Committee

3. **2026-12**

Amendment to Zoning Map - 0 Carrington Street, AP 5, Lot 92

History:

Date	Meeting Body	Action
08/18/2026	Town Council	Referred to Committee

4. **2026-13**

FY27 Salary Ordinance

History:

Date	Meeting Body	Action
08/18/2026	Town Council	Referred to Committee

5. **2025-18**

Amendment to Chapter 125, Use of Fire Pits (grammar edits)

D. Public Comment

E. Adjourn



Town of Lincoln

Ordinance Committee Meeting

August 17, 2026 at 6:15 PM
Lincoln Town Hall

MINUTES

A. Call to Order

6:15 PM Meeting called to order on August 17, 2026 at Lincoln Town Hall, 100 Old River Road, Lincoln, RI.

This meeting will be held as a hybrid meeting, with the Council meeting in person and the public may participate in person or by utilizing the web streaming available on www.lincolnri.gov, and emailing comments to meeting@lincolnri.org. Streaming of the meeting is not always guaranteed.

Members Present:

Arthur Russo, Jr., Chair
Kenneth Pichette
Bruce Ogni
Anthony DeSisto, Town Solicitor
Philip Gould, Town Administrator

B. Approval of Previous Meeting Minutes

- Minutes of June 15, 2026

ACTION: Motion to adopt by Ken Pichette second by Bruce Ogni;
Motion passed with a 3:0
AYES: Arthur Russo, Bruce Ogni, Ken Pichette
NOES: None
ABSTAIN: None

C. Ordinances for Review

- 2025-13**

Zoning Ordinance Amendment: Section 260-32 - Additional Residential Requirements & Access Easement Deed and Agreement

History:

Date	Meeting Body	Action
08/19/2025	Town Council	Referral to Committee
09/09/2025	Ordinance Sub Committee	Deferred in Committee

10/20/2025	Ordinance Sub Committee	Deferred in Committee
11/17/2025	Ordinance Sub Committee	Deferred in Committee
12/15/2025	Ordinance Sub Committee	Deferred in Committee
01/20/2026	Ordinance Sub Committee	Deferred in Committee
02/09/2026	Ordinance Sub Committee	Deferred in Committee
03/16/2026	Ordinance Sub Committee	Deferred in Committee
04/20/2026	Ordinance Sub Committee	Deferred in Committee
05/18/2026	Ordinance Sub Committee	Deferred in Committee
06/15/2026	Ordinance Sub Committee	Deferred in Committee

ACTION: Motion to discuss by Ken Pichette second by Bruce Ogni;
Motion passed with a 3:0
AYES: Arthur Russo, Bruce Ogni, Ken Pichette
NOES: None
ABSTAIN: None

ACTION: Motion to deferred for further study by Bruce Ogni
second by Ken Pichette;
Motion passed with a 3:0
AYES: Arthur Russo, Bruce Ogni, Ken Pichette
NOES: None
ABSTAIN: None

2. **2026-6**
Amending Chapter 260, Zoning, Article II regarding Data Center Ordinance

History:

Date	Meeting Body	Action
06/16/2026	Town Council	Referred to Committee

ACTION: Motion to discuss by Bruce Ogni second by Ken Pichette;
Motion passed with a 3:0
AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

ACTION: Motion to recommend the town council adopt by Ken Pichette second by Bruce Ogni;
Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

3. **2026-7**

Amendment to Article II, Section 7-5 Maximum Commission Revenue

History:

Date	Meeting Body	Action
06/16/2026	Town Council	Referred to Committee

ACTION: Motion to discuss by Ken Pichette second by Bruce Ogni;

Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

ACTION: Motion to recommend the town council adopt by Ken Pichette second by Bruce Ogni;

Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

4. **2026-8**

Amendment to Part II, Chapter 129, Flood Hazard Areas

History:

Date	Meeting Body	Action
06/16/2026	Town Council	Referred to Committee

Ordinance 2026-8 was taken with Ordinance 2026-9.

5. **2026-9**

Amendment to Article VIII, Overlay Zones, Section 260-46 Flood Hazard Overlay District

History:

Date	Meeting Body	Action
06/16/2026	Town Council	Referred to Committee

Stephanie Davies, Town Planner, spoke on the matter.

ACTION: Motion to discuss by Bruce Ogni second by Ken Pichette;

Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

ACTION: Motion to recommend the town council adopt by Ken Pichette second by Bruce Ogni;

Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

6. **2026-10**

Amendment to Section 183-8 Violations and penalties in the Parks & Recreation Chapter

History:

Date	Meeting Body	Action
06/16/2026	Town Council	Referred to Committee

ACTION: Motion to discuss by Bruce Ogni second by Ken Pichette;

Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

ACTION: Motion to deferred in committee by Bruce Ogni second by Ken Pichette;

Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

7. **2026-11**

Amending Article III Use Regulations, 260-19: Manufacturing Uses, AA. Renewable Energy - Minor Scale Facility - Roof Mount and BB. Renewable Energy - Minor Scale Facility - Ground Mount

Article XI Special Use Permits, 260-68: Specific and Objective Criteria, U. Renewable Energy Minor Scale - Scale Facility - Ground Mount

History:

Date	Meeting Body	Action
07/21/2026	Town Council	Referred to Committee

Stephanie Davies, Town Planner, spoke on the matter.

ACTION: Motion to discuss by Bruce Ogni second by Ken Pichette;

Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

ACTION: Motion to recommend the town council adopt with planning board amendments and removing lines 92-94 by Ken Pichette second by Bruce Ogni;

Motion passed with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

D. Public Comment

Cameron Deutsche of 67 Rockridge Road spoke on Ordinance 2026-7.

There were no others wishing to speak during public comment.

E. Adjourn

ACTION: Motion to adjourn the meeting by Bruce Ogni second by Ken Pichette;

Motion with a 3:0

AYES: Arthur Russo, Bruce Ogni, Ken Pichette

NOES: None

ABSTAIN: None

§ 260-32 Additional Residential Requirements

- A. In any residential district, the parking or storage of commercial vehicles over 10,000 pounds of gross vehicle weight and/or storage is directly related to an accessory or a permitted use or legal nonconforming use on the premises. The parking or storage of any commercial vehicles labeled for a business use shall not be allowed in any residential district, unless permitted by a nonconforming use, except when registered to the property owner.
- B. No unregistered, unserviceable, discarded, worn-out or junked automobile, truck or trailer of any kind or type, or body, engine, part or accessory shall be parked or stored on any residentially zoned property other than in a completely enclosed building in excess of three months.
- C. Parking or storage of any vehicle or the storage of any temporary or permanent structures by residents shall not be permitted on Town owned property, utility easements, or any other non-privately owned land.
- D. “Parking Areas” and “Parking Facilities” as set forth in § 260-31 are prohibited in all residential zones.

ACCESS EASEMENT DEED AND AGREEMENT

Grantor: TOWN OF LINCOLN, A RHODE ISLAND MUNICIPALITY

Grantee:

Property Address: Benefited Land:

Burdened Land: Assessor's Plat 13 Lot 380

The GRANT OF ACCESS EASEMENT is entered into on this ____ day of _____ 2024 by and between the Grantor, **THE TOWN OF LINCOLN, A RHODE ISLAND MUNICIPALITY**, of 100 Old River Road, Lincoln, Rhode Island 02865, (the "Landowner") and the Grantee, _____, of _____, RI (the "Easement Holder").

RECITALS

A. The Landowner is the sole owner of certain real estate in the Town of Lincoln, County of Providence and State of Rhode Island, which is set forth on Assessor's Plat 12 Lot 380 (the "Burdened Property").

B. The Easement Holder is the owner of certain real estate in the Town of Lincoln, County of Providence and State of Rhode Island, which is set forth on Assessor's Plat 12 Lot _____ (the "Benefited Property").

C. Landowner has agreed to convey to the Easement Holder, a Grant of Access Easement across the Burdened Property.

GRANT OF ACCESS EASEMENT

In consideration of the facts recited above, the Landowner and Easement Holder agree as follows:

1. Grant of Easement. The Landowner hereby grants and conveys to the Easement Holder, a perpetual, nonexclusive, rent-free, right to cross their land to enter Easement Holder Land (the "Access Easement") for ingress and egress for the purpose accessing Benefited Property. The Easement area shall be the land owned by the Town of Lincoln as shown on Assessor's Plat 12, Lot 380, consisting of the Land used as a driveway for the Benefitted Property across Lot 380 to Leichester Drive.

2. Use of Access Easement. The purpose of the Access Easement is to provide year-round pedestrian, vehicular and utility access to and from the Benefited Property by the Easement Holder. Nothing in this Access Easement is intended to prohibit use of the Access Easement by the Landowner, provided such use does not interfere with the use of the Access Easement by the Easement Holder.

3. Improvements. Any improvements on the Easement Property made by the Landowner, shall be subject to the prior written approval of the Easement Holder.

4. Maintenance/Repair. The Easement Holder shall be solely responsible for maintaining the Easement Property (i.e. snow removal, ice removal and all other normal and usual maintenance). The Easement Property shall be kept in a good, clean and safe condition, free from waste or litter and free from any condition that constitutes a nuisance or any condition that could cause injury or damage. If the Easement Holder allows the Easement Property to be in violation of the requirements set forth herein, the Easement Holder shall be responsible for the cost to promptly repair the Easement Property and return it to its condition prior to the violation.

5. Damage to Easement Property. The Easement Holder shall be responsible for any damage it may cause to the Easement Property. If the Easement Holder causes such damage, it shall promptly make all needed repairs, restoring the Easement Property to its condition prior to the damage.

6. Obstructions to Use of the Easement Property. Neither the Landowner or Easement Holder, under the terms of this Access Easement may utilize the Easement Property in a way that interferes with its use by any other person permitted to use it. Any obstructions or impediments to the use of the Easement Property may be removed, without notice, by the Landowner or Easement Holder and the cost of such removal shall be borne by the party causing or responsible for such obstruction.

7. Enforcement of Agreement. The Easement Holder and the Landowner shall have the right to legally enforce this Access Easement and the covenants, conditions and restrictions set forth herein, by whatever action or actions are legally available, including, without limitation, enjoining any violation or threatened violation hereof.

8. Amendments. This Access Easement may not be modified, amended or terminated except by execution and recording of a written instrument signed by both the Landowner and Easement Holder.

9. Successors. All of the terms, covenants, conditions, and obligations set forth in this Access Easement shall inure to the benefit of and bind the Landowner and Easement Holder, and their respective personal representatives, heirs, successors, transferees and assigns, and shall continue as a servitude running in perpetuity with the Landowner's Property.

10. Severability. If any provision or specific application of this Access Easement is found to be invalid by a court of competent jurisdiction, the remaining provisions or specific applications of this Access Easement shall remain valid and binding.

11. Governing Law. This Access Easement shall be governed by and construed under the laws of the State of Rhode Island.

12. Indemnification. The Easement Holder shall indemnify and hold Landowner harmless for any and all claims, demands, causes of actions and damages that may arise from the Easement Holder's use of the Access Easement. The Landowner shall have no liability for any actions that arise due to the Easement Holder's use of the Access Easement. Easement Holder shall indemnify, defend, and hold harmless the Landowner if any party to this agreement or any other person or entity attempts to hold the Landowner liable for any actions that arise due to the Easement Holder's use of the Access Easement.

IN WITNESS WHEREOF, the undersigned, have agreed to and executed this Access Easement this _____ day of _____, 2024

Witness:

TOWN OF LINCOLN

BY:

EASEMENT HOLDER

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In the Town of Lincoln on this ____ day of _____, 2024 before me, the undersigned notary public, personally appeared _____ in his/her capacity as _____ of the Town of Lincoln, personally known to the notary or proved to the notary through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to the notary the (he/she/they) signed it voluntarily for its stated purpose.

NOTARY PUBLIC

PRINT NAME:

MY COMMISSION EXPIRES:

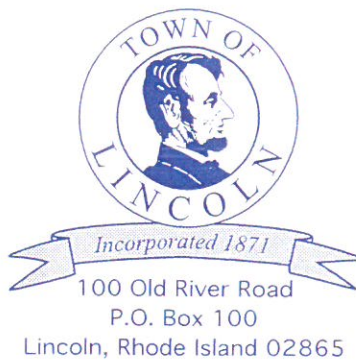
STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In the Town of Lincoln on this _____ day of _____, 2024 before me, the undersigned notary public, personally appeared _____, personally known to the notary or proved to the notary through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to the notary the he signed it voluntarily for its stated purpose.

NOTARY PUBLIC

PRINT NAME:

MY COMMISSION EXPIRES:



OFFICE OF THE
TOWN PLANNER

(401) 333-8433

August 28, 2025

Town of Lincoln – Town Council
100 Old River Road
Lincoln, Rhode Island 02865

Re: An Ordinance in Amendment to Article V, Parking and Loading, §260-32 of the Zoning Ordinance for the Town of Lincoln – Additional Residential Requirements

Dear Honorable Members,

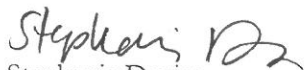
On August 27, 2025, the Planning Board met to review proposed Ordinance 2025-13. According to §260-90 of the Town of Lincoln's Code of Ordinances, the Planning Board must study and offer recommendations to the Town Council for all proposals for the adoption, amendment, or repeal of a zoning ordinance or zoning map(s). The Planning Board's recommendation must be made in accordance with §260-90A and B of the Code of Ordinances.

In 5-0 vote, the Planning Board finds that adoption of the proposed amendments to Article V, Parking and Loading, Section 260-32 of the Zoning Ordinance – Additional Residential Requirements, although not specifically referred to in the 2003 Comprehensive Plan, is generally consistent with the stated goals of protecting residential neighborhood character. However, the Planning Board proposes the following edits to the ordinance (see also attached marked up version).

- 1) It appears that there may be a scrivener's error in letter A. This paragraph should revert to the original that is in the Zoning Ordinance. It appears that the highlighted phrase in the attached marked up version may have been accidentally eliminated.
- 2) Although not the subject of the proposed revisions, the Planning Board recommends reducing the time allowance for junk and unregistered vehicles from 3 months to 30 days in paragraph B. They also recommend a slight rewrite to move that clause earlier in the paragraph.
- 3) The Planning Board wanted to remove the "by residents" reference in paragraph C as it was mentioned that this rule should apply equally to "non-residents." The Planning board recommended additional clarification so that parking on town property as intended, i.e., when visiting the public library, attending school events, and so forth, would not be precluded.

The Planning Board finds that adoption of the proposed ordinance, with the recommended changes, would be consistent with the Town's Comprehensive Plan.

Sincerely,


Stephanie Davies

Town Planner/Administrative Officer to the Planning Board

§ 260-32 Additional Residential Requirements

~~A. In any residential district, the parking or storage of commercial vehicles over 10,000 pounds of gross vehicle weight and/or storage is directly related to an accessory or a permitted use or legal nonconforming use on the premises. The parking or storage of any commercial vehicles labeled for a business use shall not be allowed in any residential district, unless permitted by a nonconforming use, except when registered to the property owner.~~

A. In any Residential District, the parking or storage of commercial vehicles over 10,000 pounds of gross vehicle weight and/or commercial trailers or house trailers shall not be permitted except where such parking or storage is directly related to an accessory or a permitted use or legal nonconforming use on the premises. The parking or storage of any commercial vehicles labeled for a business use shall not be allowed in any residential district, unless permitted by a legal nonconforming use, except when registered to the property owner.

COMMENT: It appears that there may be a scrivener's error in letter A. This paragraph should revert to the original that is in the Zoning Ordinance. It appears that the highlighted phrase in the above may have been accidentally omitted.

B. No unregistered, unserviceable, discarded, worn-out or junked automobile, truck or trailer of any kind or type, or body, engine, part or accessory shall be parked or stored in excess of 30 days on any residentially zoned property other than in a completely enclosed building ~~in excess of three months.~~

COMMENT: Although not the subject of the proposed revisions, the Planning Board recommends reducing the time allowance for junk and unregistered vehicles from 3 months to 30 days. They also recommend a slight rewrite to move that clause earlier in the paragraph.

C. Parking or storage of any vehicle or the storage of any temporary or permanent structures ~~by residents~~ shall not be permitted on Town owned property, utility easements, or any other non-private land except for that parking or storage that is permitted by that property's intended use.

COMMENT: The Planning Board wanted to remove the "by residents" reference as it was mentioned that a non-resident should not be able to park or store. They also wanted the last line above to be added because they noted that there are many Town-owned properties where people do park, i.e., at schools, parks, Town Hall, etc., and this appears to prohibit it.

~~D. "Parking Areas" and "Parking Facilities" as set forth in § 260-31 are prohibited in all residential zones.~~

COMMENT: The Planning Board did not discuss this at their August 27, 2025 meeting, but it seems to preclude parking for residential uses, i.e. multi-family developments, single-family homes and so forth. I don't think it's necessary with all the above language.

Ordinance No. _____

Section 1. Definitions

Chapter 183, amending by addition of §183-5.1 as well as amendments to 183-6 and 183-8

§183-5.1

Class 1: A bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches twenty miles per hour.

Class 2: A bicycle equipped with a throttle-actuated electric motor that ceases to provide assistance when the electric bicycle reaches twenty miles per hour.

Class 3: A bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches twenty-eight miles per hour.

Electric bicycle (e-bike): A bicycle that qualifies as a Class 1, Class 2, or Class 3 electric powered bicycle under this section.

Wheelchair: A manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or both indoor and outdoor **mobility**.

Mobility Device: A manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the purpose of **mobility**, including, but not limited to, an electric wheelchair, power wheelchair, mobility scooter, or other power-driven mobility device used by an individual with a disability.

§ 183-6

A) No person shall ride, ~~or drive, or operate~~ any animal, **electric bike, motor vehicle, or** power-propelled vehicle, ~~or any~~ other vehicle within any park or recreation area, except for the purpose of **entering, leaving, or** parking those vehicles in the designated roadways, driveways, or parking areas.

B) Mobility devices. Nothing in this section shall prohibit:

- 1) An individual with a mobility disability from using a wheelchair or manually powered mobility aid in any area open to pedestrian use; or
- 2) An individual with a mobility disability from using another power-driven mobility device in accordance with the Americans with Disabilities Act and applicable federal and state regulations.

§ 183-8

~~Any violation of this article shall be punished by a fine of not more than \$20 or imprisonment of 10 days, or both.~~ The penalty for a violation of this article shall be forfeiture of the vehicle. If the defendant does not own the vehicle and the owner did not know and could not have reasonably known that the E-bike or vehicle would be used in violation of this article, a civil penalty of \$100.00 in addition to any subsequent fines or penalties associated with the illegal operation of such vehicle shall be imposed upon the owner/operator. If this is the first offense committed knowingly, the owner/operator shall pay a \$200.00 civil penalty along with any subsequent fines or penalties or forfeitures. If the penalty is the second penalty committed

knowingly, the owner/operator will be fined \$300.00 in addition to any subsequent fines or penalties or forfeitures. If this penalty is the third penalty committed by the owner/operator, they shall pay \$500.00 along with any other subsequent fines or penalties or forfeitures. The Lincoln Police Department shall be therefore empowered to seize or impound the E-bike or motorized vehicle, or any other vehicle previously listed, in order to enforce this amendment.

- 1) Commencement of forfeiture proceeding and notice.
 - a) The Town shall bring an action by filing a complaint to the [court].
 - b) The Town shall give notice of the forfeiture proceeding by mailing a copy of the complaint and a notice for hearing to each person who's right, title, or interest is known and/or to the address of the person who operated the E-bike or other vehicle. If the operator at the time is a minor, notice shall be given to the parent(s) or guardian(s) of the operator. Such person or persons shall henceforth be referred to as the "owner(s)"
 - c) The owner of the property shall, within 30 days of the mailing the complaint and notice, file a verified answer to the complaint. The owner shall also appear at the hearing on the action for forfeiture.
- 2) Forfeiture hearing.
 - a) If the owner fails to appear at said hearing, the court may enter an order for forfeiture by default.
 - b) If the owner appears at said hearing, the [judge] shall show evidence that the property was used in violation of this article.
 - c) If the [judge] does not made the showing required in (2)b of this section, the property shall be released to the owner.
 - d) If the [court] finds that the required showing was made, the owner may offer evidence as to why the owner was not in violation of, did not know of, or had no reason to know of illegal use of the property. For the sake of this article, the owner shall be deemed to have knowledge of the provisions of §183-6.
 - e) If the owner rebuts the Town by showing a preponderance of the evidence, then the complaint for forfeiture shall be denied and dismissed. The Town shall then determine whether the owner be responsible for any fines or penalties based on the circumstances.
 - f) Where the Town has made the required showing of evidence, the owner has not rebutted by showing a preponderance of evidence, or where the court enters forfeiture by default, the court may order:
 - 1) The property to be destroyed by the agency who seized it or another municipal agency
 - 2) The property be delivered and retained for the use of the agency or another municipal agency who seized it

PETITION FOR AMENDMENT TO ZONING MAP
TOWN OF LINCOLN

Date: 6-4-26

To the Town of Lincoln Zoning Official:

It is hereby respectfully requested that the Ordinance of the Town of Lincoln entitled "Zoning" be amended by making the following change or changes to the Zoning Map:

CHANGE FROM DISTRICT ML-05 TO DISTRICT RG-7

PARCEL (street address) 0 - Carrington St.

ASSESSOR'S PLAT 5 LOT NUMBER 92
(as of the last date of certified assessment)

LOT AREA .452 a

LOCATION Lonsdale

OWNERS Robert Gaudette Jr / Lynne V. Gaudette

SIGNATURES OF PETITIONERS

Robert Gaudette Jr

Lynne V. Gaudette

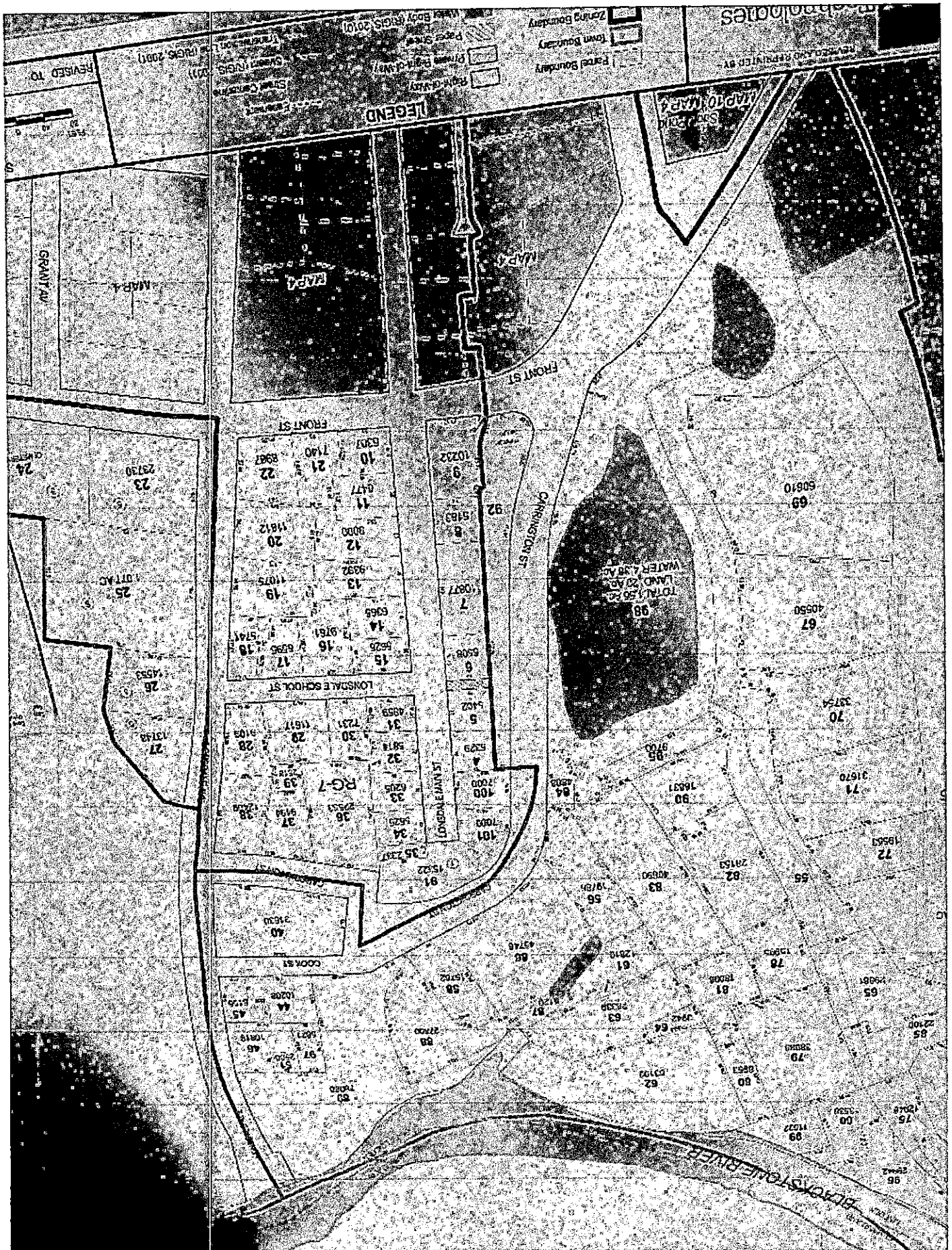
ADDRESS

6 Country Drive
Greenville, RI 02828

ATTORNEY John E. Shekar chi, Warwick, RI

INSTRUCTIONS: Office AT SHEKLAWFIRM.COM 722-3600

1. Submit Petition in triplicate
2. Submit 11 copies of the map showing the Assessor's Plat and Lot (s) of land in question and abutting with 200 feet, and the zoning district boundaries. All such lots must show dimensions and area, location, size, and use of the existing buildings and street numbers.
3. Submit in duplicate a list of names and addresses of all property owners within a 200 foot radius of the property in question, excluding streets, as of 30 days prior to filing of petition, which is used in giving notice.
4. Attach supplemental information (11 copies) including reason for request, plans, sketches, prints, etc...
5. Petition will pay all costs of personal notice and public advertising required prior to the hearing date.

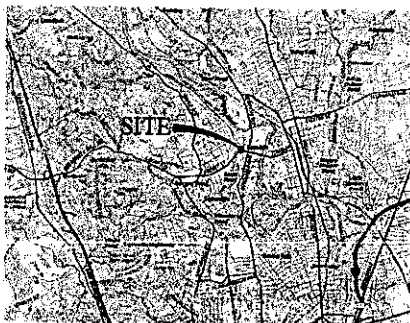


Reason for Requested Zone Change

The owner of Plat 5, Lot 92 in Lincoln, Rhode Island, respectfully requests a zone change from **ML-05 (Manufacturing/Light Industrial)** to **RG-7 (Residential General)**. The property is no longer intended for commercial or industrial use and is proposed to be developed as a residential property consisting of **three townhouse units**.

The requested rezoning will allow the property to be utilized in a manner that better meets current housing needs while providing a compatible residential use for the area. The proposed development represents an appropriate transition from the existing industrial zoning designation to a residential use that will contribute to the Town's housing inventory, generate property tax revenue, and support the continued growth of the local community.

↑ N



STATE WIDE MAP



PRELIMINARY PLAN FOR PROPOSED RESIDENTIAL BUILDING DEVELOPMENT SITE

AP 5, LOT 92

CARRINGTON STREET @ FRONT STREET

LINCOLN, RHODE ISLAND

ZONING DISTRICT - MANUFACTURING LTD (ML-0.5)

PROJECT TEAM

OWNER: ROBERT, JR. & LYNNE GAUDETTE
P.O. BOX 295
LINCOLN, RI 02865
PHONE: (401) 480-2966
EMAIL: GAUDETTE1949@GMAIL.COM

CIVIL: D'AMICO ENGINEERING TECHNOLOGY, INC.
2080 MINERAL SPRING AVE
NORTH PROVIDENCE, RI 02911
PHONE: (401) 622-1470
FAX: (401) 333-1190
EMAIL: DAVID@DENGINEERINGTEC.COM

SURVEYOR: MARSH & LONG SURVEYING, INC.
450 WASHINGTON HIGHWAY
SMITHFIELD, RI 02918
PHONE: 401-231-0900
EMAIL: SLONG@MARSHLONGSURVEYING.CO

INDEX OF DRAWINGS

SHEET NO. PLAN

1 COVER SHEET
2 GENERAL NOTES AND LEGEND
3 SURVEY PLAN (BASE PLAN)
4 EXISTING CONDITIONS AND DEMO PLAN
5 SITE PLAN
6 GRADING, DRAINAGE AND UTILITY PLAN
7 SOIL EROSION AND SEDIMENT CONTROL PLAN
8 SITE DETAILS NO. 1
9 SITE DETAILS NO. 2

DFtec[®]
DYNAMIC ENGINEERING TECHNOLOGY, INC.
Civil • Transportation • Land Use
2000 Mineral Spring Ave., North Potomac, Md 21228
(301) 441-1100

**PROPOSED ~~CARROLL~~ BUILDING
DEVELOPMENT SITE**
CARRINGTON STREET
LINCOLN, RHODE ISLAND
AP 5, LOT 92.

REVISIONS	
NO.	DATE DESCRIPTION

NO. 1/19. DEATH TON

0

DESIGNED BY: DMD

CHECKED BY: DMO

DATE	MARCH
PROJECT NO	40002

--	--

PERMIT PLAN

COVER

COVER SHEET

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SHEET

1 OF 9

2

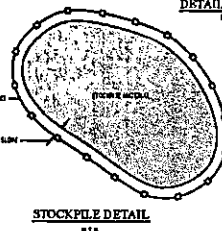
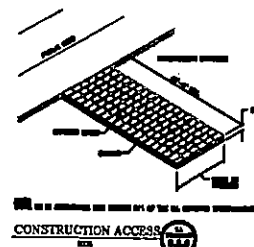
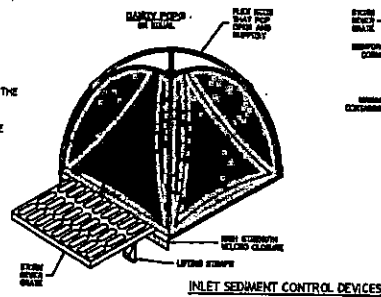
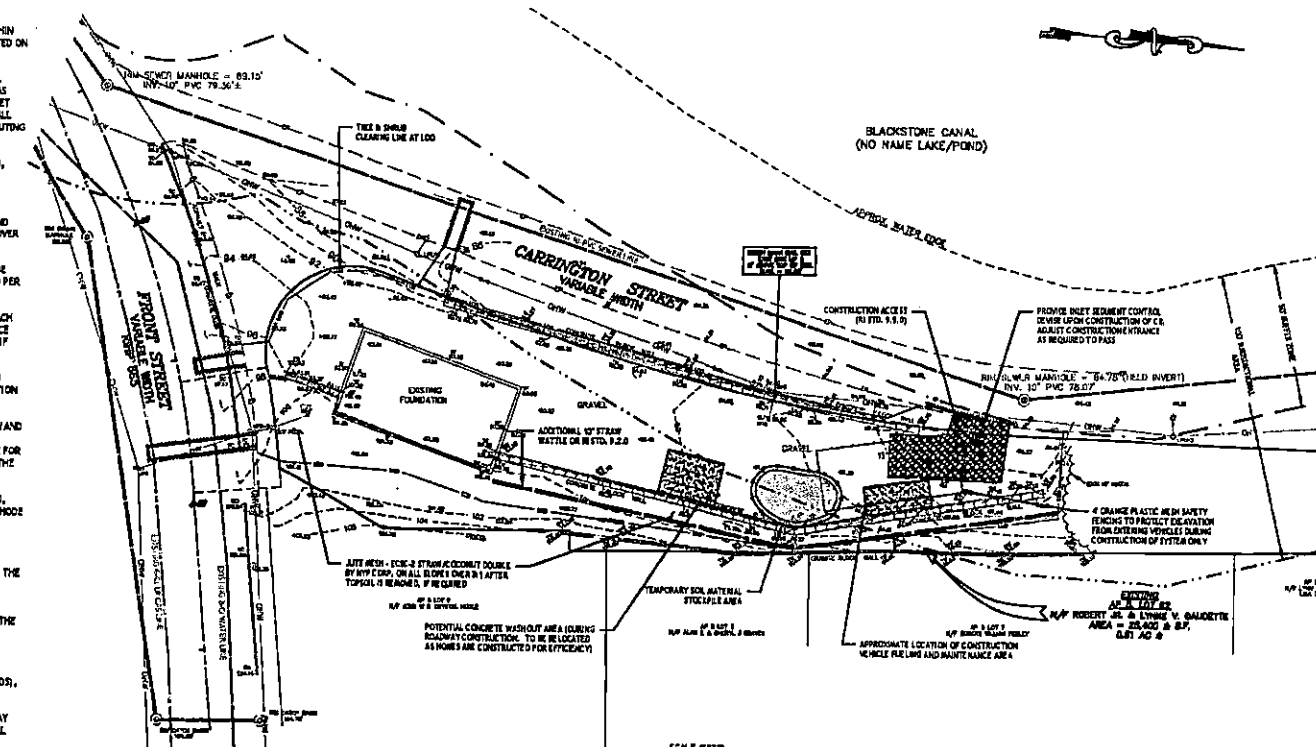
1. *Phragmites*

SOIL EROSION AND SEDIMENTATION CONTROL NOTES

1. THE HAYBALE, WATTLE AND SILT FENCE LINE ILLUSTRATED ON THESE PLANS SHALL SERVE AS THE STRICT LIMIT OF DISTURBANCE FOR THE PROJECT WITHIN OR ADJACENT TO REGULATED FRESHWATER WETLAND AREAS.
2. THE LIMITS OF CLEARING, GRADING, AND DISTURBANCE SHALL BE KEPT TO A MINIMUM WITHIN THE PROPOSED AREA OF CONSTRUCTION. ALL AREAS OUTSIDE OF THESE LIMITS, AS DEPICTED ON THE PLAN SHALL BE TOTALLY UNDISTURBED, TO REMAIN IN NATURAL CONDITION.
3. ALL CATCH BASINS AND CULVERTS SHALL BE PROTECTED WITH STAKED HAYBALES (R.I. STD. 9.3.0) DURING CONSTRUCTION ACTIVITIES. ALL PROPOSED STORMWATER DISCHARGE AREAS SHALL BE LINED WITH A RIP-RAP SPLASH PAD AND PROTECTED WITH STAKED HAYBALE OUTLET PROTECTION (R.I. STD. 9.3.0), OR STAKED HAYBALE WITH SILT FENCE (R.I. STD. 9.3.0) SHALL ALSO BE INSTALLED AT ALL EXISTING STORMWATER DISCHARGE LOCATIONS WHERE DISTRIBUTING PIPES, CATCH BASINS, AND MANHOLES ARE TO BE CLEANED AND FLUSHED.
4. ALL DISTURBED SLOPES EITHER NEWLY CREATED OR CURRENTLY EXPOSED SHALL BE SEED, PROTECTED AND MAINTAINED BY THE CONTRACTOR. THE CONTRACTOR SHALL REGULARLY CHECK ALL SEEDING AREAS TO ENSURE THAT A GOOD STAND IS MAINTAINED.
5. ALL HAYBALES, TEMPORARY TREATMENT (HAY, STRAW, ETC.) AND TEMPORARY EROSION PROTECTION SHALL BE MAINTAINED BY THE CONTRACTOR THROUGHOUT CONSTRUCTION AND SHALL REMAIN IN PLACE UNTIL AN ACCEPTABLE STAND OF GRASS OR APPROVED GROUND COVER IS ESTABLISHED.
6. STOCKPILES OF TOPSOIL SHALL NOT BE LOCATED NEAR WATERWAYS. THEY SHALL HAVE SIDE SLOPES OF NO GREATER THAN 2:1 AND SHALL BE TEMPORARILY SEED AND/OR STABILIZED PER CONTRACT SPECIFICATIONS.
7. THE HAYBALES SHALL BE CHECKED BY THE CONTRACTOR ON A WEEKLY BASIS AND AFTER EACH STORMWATER RAINFALL EVENT OR DETERIORATION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY HAYBALES AS NEEDED. THE CONTRACTOR SHALL CLEAN THE ACCUMULATED SEDIMENT IF HALF OF THE ORIGINAL HEIGHT OF THE HAY-BALES BECOMES FILLED WITH SEDIMENTS.
8. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO MAINTAIN ALL SOIL EROSION AND SEDIMENT CONTROLS ON THE PROJECT SITE FOR THE ENTIRE DURATION OF THE CONSTRUCTION PERIOD. THE CONTRACTOR SHALL FOLLOW THE DIRECTION OF THE ENGINEER OR OWNERS REPRESENTATIVE WITH REGARD TO INSTALLATION, MAINTENANCE, AND REPAIR OF ALL SOIL EROSION AND SEDIMENTATION CONTROLS ON THE PROJECT SITE. TEMPORARY SOIL EROSION AND SEDIMENTATION CONTROLS (HAYBALES, SILT FENCE, ETC.) SHALL BE MAINTAINED UNTIL ALL EXPOSED SOILS ARE SATISFACTORILY STABILIZED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING AND/OR RESEEDING ALL AREAS THAT DO NOT DEVELOP WITHIN ONE YEAR FROM THE COMPLETION OF CONSTRUCTION.
9. ALL REFERENCED SOIL EROSION AND SEDIMENTATION CONTROLS INCLUDING MATERIALS USED, APPLICATION RATES AND THE INSTALLATION PROCEDURES SHALL BE PERFORMED PER THE RHODE ISLAND EROSION AND SEDIMENTATION HANDBOOK, DATED 1991, REVISED 2014.

PMR MAINTENANCE SCHEDULE

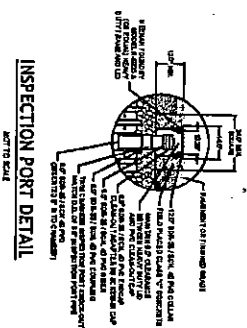
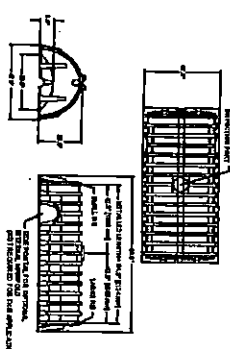
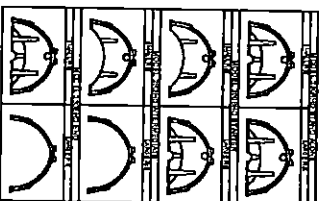
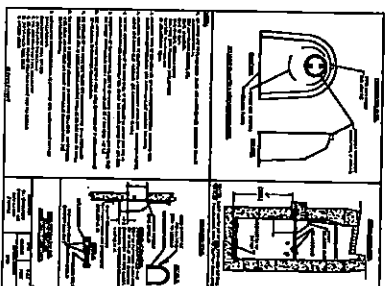
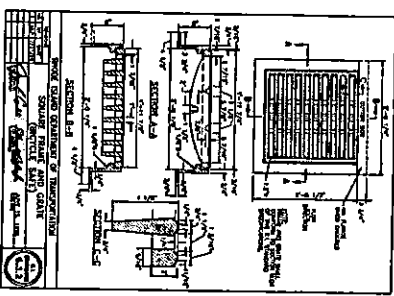
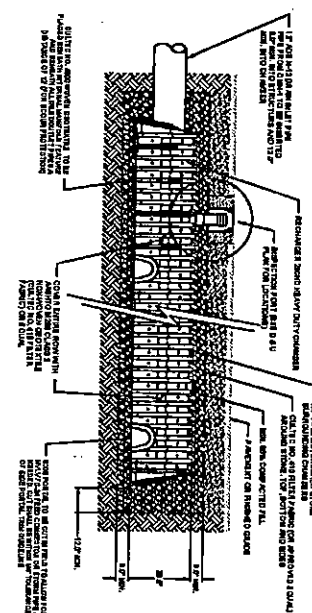
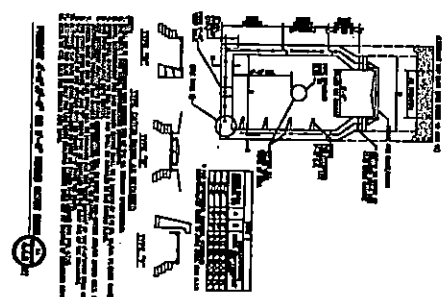
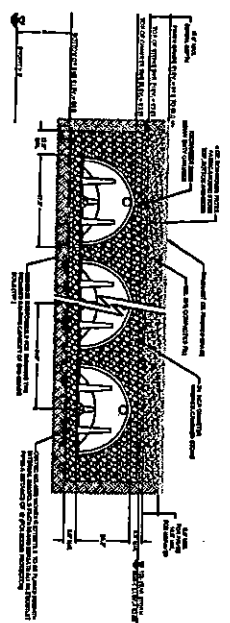
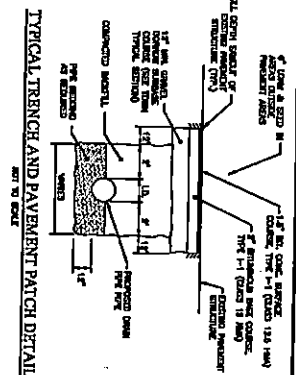
1. ALL MAINTENANCE (INCLUDING CLEANING) REQUIRED DURING THE CONSTRUCTION PHASE OF THE PROJECT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. CONSTRUCTION EQUIPMENT AND TRAFFIC SHALL BE RESTRICTED FROM TRAVELING OVER THE INFILTRATION TRENCH AND/OR SUBSURFACE CHAMBER AREAS TO MINIMIZE COMPACTION OF THE SOIL.
3. MEASURES NEEDED TO ENSURE THE PROPER OPERATION OF THE STORMWATER DRAINAGE SYSTEMS AND WATER QUALITY CONTROL SYSTEMS TO INCLUDE INSPECTION, CLEANING AND REPAIRS TO ALL PIPES, INTAKE AND DISCHARGE STRUCTURES (INCLUDING RIP-RAP SPLASH PADS, CATCH BASIN PUMPS, AND MANHOLES).
4. INSPECTION OF ALL SLOPES, BERMS, AND OTHER CONTROL STRUCTURES (INCLUDING ROADWAY SIDE SLOPES, FOR STRUCTURAL INTEGRITY, STABILITY AND EVIDENCE OF SOIL EROSION, SHALL INCLUDE MAINTENANCE OF THESE STRUCTURES IF NECESSARY. INSPECTIONS SHALL BE PERFORMED FOLLOWING ALL RAIN EVENTS OF 1/8 INCH RAINFALL OR MORE IN A 24-HOUR PERIOD, OR MONTHLY IF NO RAINFALL EVENT OCCURS.
5. UPON COMPLETION OF PROJECT CONSTRUCTION, AND PRIOR TO VACATING THE SITE, THE CONTRACTOR SHALL CONDUCT A FINAL INSPECTION, REPAIR ANY VEGETATIVE SOIL EROSION AND SEDIMENTATION CONTROL MEASURES, (SEEDING, PLANTING, ETC.) WHERE REQUIRED, AND REPAIR (OR REMOVE WHERE APPROPRIATE) ANY TEMPORARY SOIL EROSION AND SEDIMENTATION CONTROL DEVICES. AFTER PERMANENT SOIL STABILIZATION ON THE ENTIRE SITE HAS OCCURRED, ALL TEMPORARY CONTROL MEASURES MUST BE REMOVED.
6. AFTER THE COMPLETION OF PROJECT CONSTRUCTION AND THE FINAL STABILIZATION OF THE ENTIRE SITE, THE INSPECTION AND MAINTENANCE OF ALL STORMWATER FACILITIES MUST BE PERFORMED.
7. REPLANTING, REGRADING, OR OTHER REPAIRS NEEDED AS A RESULT OF SOIL EROSION AND SEDIMENTATION PROCESSES SHALL BE DONE PROMPTLY TO ENSURE PROPER FUNCTIONING OF THE ENTIRE SYSTEM.
8. ANY TRASH, DEBRIS, ETC. SHOULD BE REMOVED FROM ANY WETLAND AREAS, SWALE, AND PIPE OUTLETS.
9. ALL DISTURBED AREAS WILL BE LOAMED AND SEEDING UNLESS DIRECTED OTHERWISE.



DEtec
DAMICO ENGINEERING TECHNOLOGY, INC.
2000 Mount Vernon Ave., North Charleston, SC 29405
(803) 552-1000 FAX (803) 552-1001

PROPOSED GARDEN BUILDING DEVELOPMENT SITE
CARRINGTON STREET
LINCOLN, RHODE ISLAND
AP 5, LOT 92

REVISIONS	NO. DATE DESCRIPTION
1	01/15/2021
2	02/15/2021
3	03/15/2021
4	04/15/2021
5	05/15/2021
6	06/15/2021
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300	12/15/2045



WQV BMP ISOLATOR ROWS

CROSS SECTION VIEW FOR SMS 1
NOT TO SCALE

CULTEC RECHARGER 280HD CHAMBER DETAILS

INSPECTION PORT DETAIL

**PROPOSED ~~SEITE~~ BUILDING
DEVELOPMENT SITE
CARRINGTON STREET
LINCOLN, RHODE ISLAND
AP 5, LOT 92**



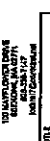
DEtec.
DAMCO ENGINEERING TECHNOLOGY, INC.
Civil • Transportation • Land Use
2000 Mineral Spring Ave., North Providence, RI 02911
(401) 824-1470 (401) 353-1750 fax www.damcoengineering.com

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PRELIMINARY DESIGN
12/27/2024 12:22:39 PM
NOT FOR CONSTRUCTION

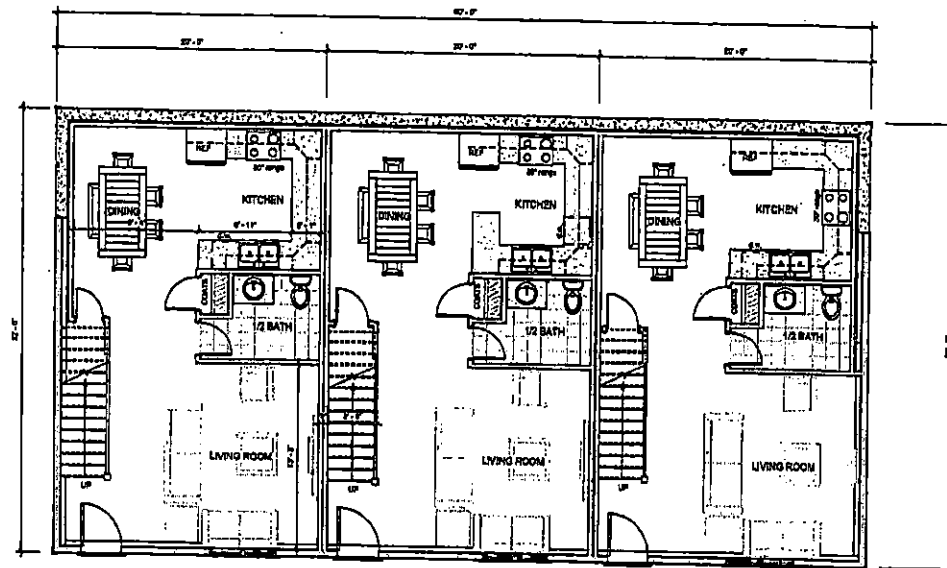
DATE:	2024	J	AS NOTE	J
PROPERTY NO:				
EXAMINER IN:				
SCALE:				
DATA IN:				

PROPOSED 3 UNIT
APARTMENT
BUILDING
CARRINGTON &
LINCOLN BL



100-443887-100





1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

REV.	DESCRIPTION	DATE

GENERAL NOTES
 1. ALL CONSTRUCTION SHALL CONFORM TO ALL CODES AND REGULATIONS HAVING JURISDICTION OVER THE PROJECT INCLUDING BUT NOT LIMITED TO THE SIX EDITION OF THE MASSACHUSETTS RESIDENTIAL CODE.
 2. DIMENSIONS OF THESE PLANS SHALL NOT BE FIELD MEASUREMENTS. DIMENSIONS SHALL BE BASED ON THE DIMENSIONS OF THE ORIGINAL CONSTRUCTION AND NOT ON THE CONSTRUCTION AND SUB-CONTRACTURE.

ENGINEER

SAB
Engineering

100 Pearl Street
Providence, Rhode Island 02903
401-455-4555
msa@sabengineering.com

DESIGN

PRELIMINARY DESIGN
 12/27/2024 12:22:26 PM
 NOT FOR CONSTRUCTION

STRUCTURAL

DATE: _____
 PROJECT NO: 2024-02
 DRAWN BY: JC
 SCALE: AS NOTED
 CHECKED BY: JC
 PROJECT: _____

PROPOSED 3 UNIT
 APARTMENT
 BUILDING
 10 CARRINGTON ST.
 LINCOLN, RI



100 MAYFLOWER DRIVE
 PROVIDENCE, RI 02903
 401-455-4555
 jcad@jcad.com

TITLE

FIRST FLOOR
 PLAN

2. THE PROJECT IS BASED ON THE ASSUMPTIONS THAT THE EXISTING FOUNDATION AND STRUCTURE IS SOUND AND CAPABLE OF SUPPORTING THE PROPOSED CONSTRUCTION. THE ENGINEER HAS NOT CONDUCTED A VISUAL INSPECTION OF THE EXISTING FOUNDATION AND STRUCTURE.

SHEET NO.

A-100

[illegible]

SAB
Engineering
120 Avenue Street
Burlington, Ontario L7R 4C6
Canada
Tel: 416-680-8264
Fax: 416-680-8264

DATE: 12/27/2024 12:22:27 PM
 PRELIMINARY DESIGN
 NOT FOR CONSTRUCTION

DATE	PROJECT	SCALE	ORDERED BY	AS NOTED	JC
2024-60					

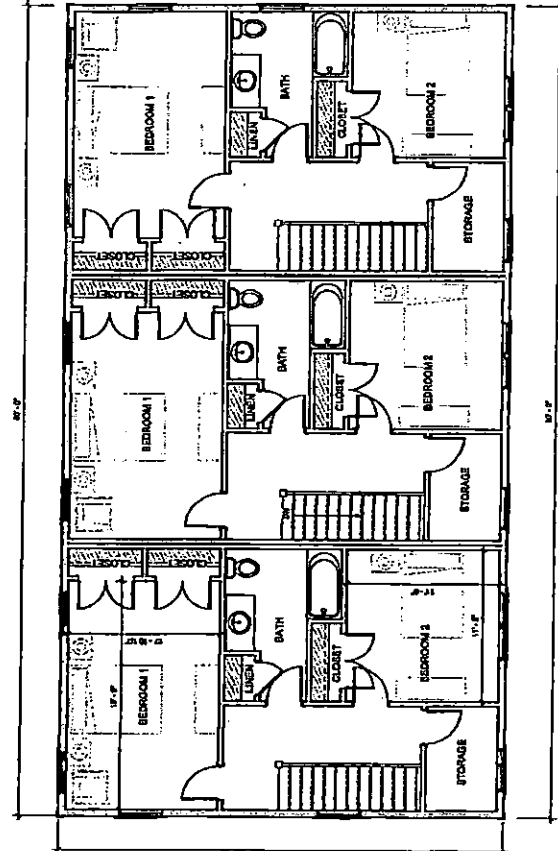
**PROPOSED 3 UNIT
APARTMENT
BUILDING
200 CARRINGTON ST.
LINCOLN, RI**



100 MAINTENANCE DRIVE
BOSTON, MA 02111
800-828-7147
james.f@mcgraw-hill.com

**2ND FLOOR
PLAN**

A-101



1 SECOND FLOOR PLAN



100 Old River Road
P.O. Box 100
Lincoln, RI 02865
(401) 333.8433

OFFICE OF THE
TOWN PLANNER

September 3, 2026

Town Council
Town of Lincoln
100 Old River Road
Lincoln, Rhode Island 02865

Re: Rezoning Application of Robert Gaudette, Jr and Lynne Gaudette

Dear Honorable Members,

On August 26, 2026, the Planning Board met to review the proposed rezoning of property located at 0 Carrington Street, specifically AP 5 Lot 92, from ML-0.5 to RG-7. According to §260-93 of the Town of Lincoln's Code of Ordinances, the Planning Board must study and offer recommendations to the Town Council for all proposals for the adoption, amendment, or repeal of a zoning ordinance or zoning map(s). The Planning Board's recommendation must be made in accordance with §260-93A and B of the Code of Ordinances.

The Planning Board discussed the proposed rezoning and finds that it is consistent with the following goals and objectives of the 2026 Comprehensive Plan:

- Chapter 12: Land Use identifies the Lonsdale Bleachery Mill Complex as having significant potential for redevelopment.
 - Land Use Goal 6.1 for Lonsdale is to “preserve the character of historic residential areas while providing zoning flexibility for adaptive reuse of mill buildings.”
- Chapter 13: Implementation, Action HO 3 “support infill and rehabilitation development, along with affordable housing, in higher density areas where public infrastructure and environmental conditions can support a density increase.”

In support of these findings, the Planning Board noted that while the property at 0 Carrington Street is vacant, it does sit at the Front Street entrance to the Lonsdale Bleachery Mill Complex and could help support future residential development. Further, the Planning Board felt that the lot is so narrow, it would not likely be developed for industrial use. The Planning Board also noted that the

subject parcel immediately abuts the former mill housing on Lonsdale Main Street, which is zoned RG-7, and therefore would be consistent with surrounding zones.

In addition, the Planning Board finds that the proposed rezoning is in line with the general provisions of the Zoning Ordinance, most significantly:

- Providing for orderly growth and development.
- Promoting a balance of housing choices.

Therefore, in a 6-0 vote, the Planning Board offered a positive recommendation on the proposed rezoning of 0 Carrington Street from ML-0.5 to RG-7. The Planning Board notes that the proposed residential development will be subject to Minor Land Development and Unified Development Review should the Town Council approve the rezoning.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Stephanie Davies', with a stylized flourish at the end.

Stephanie Davies, AICP
Town Planner
Administrative Officer to the Planning Board



August 12, 2026

To: The Honorable Town Council Members

From: Christine Thompson, Human Resources Director

Date: August 12, 2026

Re: Amendment to Salary Ordinance for Non-Union Personnel

FY 27 Wage Increase

The attached amendment to Salary Ordinance No. 07-011 reflects an annual adjustment of current base wages and the corresponding salary ranges for non-union personnel for the 2026-2027 fiscal year.

Current salaries have been adjusted by a 3% increase and, with your approval, will be retroactively effective July 1, 2026. A 3% increase has also been applied to the minimum, midpoint, and maximum of each non-union salary range.

Please let me know if you require additional information. I can be reached at 401.333.8434 or cthompson@lincolnri.org.

Sincerely,

Christine Thompson

Christine Thompson, SHRM-SCP
Human Resources Director
Town of Lincoln

An Amendment of that Ordinance Establishing the Compensation and Salaries for Non-Union
Employees of the Town of Lincoln

The Town Council of The Town of Lincoln Ordains:

ARTICLE 1

Section 1-1-1 The Employees and Officials herein shall receive Salaries and/or Compensation as indicated.

FY 27 - 2026.2027

Town of Lincoln	Current	Salary			
Position	Salary	Min	Mid	Max	Grade
Van Driver	45,353	41,057	47,215	53,374	1
Senior Center Program Director	53,045	43,762	50,327	56,891	2
Mealsite Coordinator	47,741	43,762	50,327	56,891	2
FLC Assistant (30 hours)	41,375	43,762	50,327	56,891	2
Human Resources & Payroll Coordinator	54,283	51,533	56,800	62,068	2.1
Assistant to Planner/Grants Administrator	71,876	62,063	71,372	80,681	3
Assistant To Town Administrator	62,063	62,063	71,372	80,681	3
Engineering Aide	68,959	62,063	71,372	80,681	3
Deputy Town Clerk	66,571	62,063	71,372	80,681	3
Assistant Parks & Recreation	64,980	62,063	71,372	80,681	3
Purchasing Agent	69,489	62,063	71,372	80,681	3
Building Maintenance Coordinator	68,428	62,063	71,372	80,681	3
Substance Abuse Coordinator (Grant Funded)		62,063	71,372	80,681	3
FLC Coordinator (30 hours)	62,063	68,959	79,302	89,646	4
Assistant Library Director	72,937	68,959	79,302	89,646	4
Assistant Highway Superintendent	75,854	68,959	79,302	89,646	4
Zoning Official	68,959	62,063	80,681	89,646	4
Senior Center Director	72,345	68,959	79,302	89,646	4
IT Support Technician	79,413	68,959	79,302	89,646	4
Parks & Recreation Director	77,711	74,369	85,524	96,680	5
Highway Superintendent	85,933	74,369	85,524	96,680	5
Assistant Finance Director	90,022	80,734	92,845	104,955	6

An Amendment of that Ordinance Establishing the Compensation and Salaries for Non-Union
Employees of the Town of Lincoln

The Town Council of The Town of Lincoln Ordains:

Tax Assessor	85,933	80,734	92,845	104,955	6
Personnel Director	95,481	80,734	92,845	104,955	6
Town Clerk	91,237	80,734	92,845	104,955	6
Library Director	86,994	80,734	92,845	104,955	6
Building Official	89,116	80,734	92,845	104,955	6
IT Director	104,499	92,404	106,265	120,126	7
Town Planner	111,395	92,404	106,265	120,126	7
Engineer	113,300	92,404	106,265	120,126	7
Finance Director	122,004	102,589	117,977	133,366	8
DPW Director	123,600	102,589	117,977	133,366	8
Rescue Chief	113,516	102,589	117,977	133,366	8
Police Chief	113,516	102,589	117,977	133,366	8

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3: This ordinance will take effect on July 1, 2026

SECTION. 2-5-8

This ordinance shall take effect upon passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Filed with the Town Clerk _____

Introduced by Town Administrator
Philip Gould

Introduced on _____

Referred to Ordinance Committee

An Amendment of that Ordinance Establishing the Compensation and Salaries for Non-Union
Employees of the Town of Lincoln

The Town Council of The Town of Lincoln Ordains:

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF LINCOLN
OUTDOOR ~~BURING~~ BURNING

IT IS HEREBY ORDAINED by the Town Council of Lincoln, Rhode Island, that the Code of the Town of Lincoln, Rhode Island is hereby amended to read as:

OPEN OUTDOOR ~~BURINGING~~ BURNING

I. Outdoor Fires Prohibited.

No person shall kindle, maintain, or permit any outdoor fire within the Town of Lincoln except as expressly authorized in this chapter. Every person who kindles or maintains any outdoor fire within the Town that is not expressly authorized or permitted as described herein may be found to be in violation of the Town Code.

II. Authorized Burning

A. Recreational Burning/Fire Pits

1. The purpose of this Section is intended to promote and safeguard the public health, living conditions, safety and welfare of the Town's residents related to the use of outdoor fire for recreational purposes.
2. The outdoor burning of clean, dry, and authorized fuels for the purpose of cooking, warmth, or aesthetic enjoyment, such as in a chiminea, grill, outdoor fireplace, fire pit, or campfire. Recreational burning shall only be authorized under this section from the hours of 6:00 a.m. to 11:00 p.m. Burning in fire pits and campfires must occur in devices/areas no larger than nine square feet (9 sq.ft.). All recreational burning is prohibited within 10 feet of property lines, except for recreational burning in permanent and fixed devices legally constructed prior to the adoption of this ordinance. ~~This exception shall not apply to fire pits or campfires.~~
3. Only the following fuels are authorized for use in recreational burning:
 - a) Dry Wood: Wood that has been protected from the elements and that has not been saturated with water.
 - b) Clean Wood: Natural wood, which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.
 - c) Seasoned logs or branches: Wood that has been removed of moisture content, feels light in weight, and is pale in color with some visible cracks.
 - d) Wood Pellets
 - e) Propane or Natural Gas
 - f) Charcoal
4. Nuisance
 - a) Nuisance shall mean a situation as seen by the fire official in charge on scene in which a fire creates an environment on or in a property, other than the property where the fire is occurring, which is considered to be unhealthy, hazardous, reasonably annoying, uncomfortable, unsafe,

creating a traffic hazard, creating a persistent odors or would cost resources to eliminate the odors from the property. This shall apply to, but not be limited to smoke, soot, fumes, odors, vapors, noxious gases, products of combustion, heat and incomplete products of combustion.

- b) The Fire Department shall have the authority to discontinue any fire pits based not following the ordinance and for concerns of the fire being a “Nuisance”.
- c) Should a fire be determined a nuisance it shall be extinguished immediately.

B. Fires Requiring Permits

Permits may be issued by the Fire Department for land clearance and yard waste burning so long as the required guidelines below are met:

- 1. Permit applications are available through the Town website and shall be submitted in accordance with the procedures set up through said portal.
- 2. Permits shall specify the location, the name and address of the permittee, and shall be issued by the Fire Department solely at their discretion.
- 3. There shall be no burning as authorized under this section from September 1 through December 31.
- 4. Permits shall only authorize burning under this section from the hours of 8:00 a.m. to 4:00 p.m.
- 5. Permits may be issued only for the burning of brush and tree limbs that originate from the permittee's property upon which the burning will take place. Burning of all other materials is expressly prohibited, including but not limited to leaves, oils, paints, trash, furniture, pressure treated lumber, painted wood, construction debris, rubbish, tires, gasoline, or other hazardous substances.
- 6. Maximum size: Five (5) feet high x five (5) feet wide. The total burning area shall not exceed twenty-five (25) square feet.
- 7. Must be located at least 50 feet from any structure and 50 feet from any property line in accordance with the National Fire Protection Association standards.
- 8. Adult supervision required at all times.
- 9. An adequate water supply must be available for extinguishment.
- 10. Seasonal Permits may be obtained for lots 40,000 sq. ft. or larger.

C. Training Fires

Fires authorized by the Fire Department for training or other fire department purposes are permitted under the oversight of the Department.

II. Restrictions and Enforcement

- A. No burning of any kind shall be permitted on Red Flag days or during periods of high wind as determined by the Fire Department or the Rhode Island Department of Environmental Management (RI DEM) ~~or~~ or National Weather Service
- B. All fires must be immediately extinguished if requested by the Fire Department or Police Department.
- C. Burning permits may be revoked at any time without warning by the Fire Department should the Fire Department determine that the burning is creating or will create a nuisance or fail to comply with the permit and all other legal requirements.

III. Penalties

- A. Violations of the provisions of this chapter shall be punishable as provided as follows:
 - 1. First Offense = Warning
 - 2. Second Offense = \$250.00
 - 3. Third and Subsequent Offenses = Up to \$500 or ten (10) days in jail or both.
- B. The Fire Department shall have primary enforcement authority for fire-related violations under this chapter. The Police Department shall have authority to issue citation enforce civil fine and take further action as necessary under Town Ordinance. The above violations are appealable to the Town of Lincoln Municipal Court.