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OFFICE OF THE
TOWN PLANNER

May 20, 2021

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

Dear Honorable Members,

On Tuesday, May 18, 2021 at 3:00 PM, the Technical Review Committee met to review the agenda items for the May 26, 2021 meeting of the Planning Board. In attendance were Al Ranaldi, Peggy Weigner, Michael Gagnon, Michael Reilly, Leslie Quish, Anthony DeSisto, and Francine Jackson. Russell Hervieux reviewed the submitted zoning applications and submitted written comments to the Committee. Below are the Committee's recommendations.

Minor Subdivision Review

a. Hanna Minor Subdivision	AP 45 Lot 72	Preliminary Plan Discussion /
- William H Hanna Jr Trustee	Angell Road & Maple Avenue	Approval

This application is under the 2016 Subdivision Regulations and represents the subdivision of one lot into three residential house lots. The applicant is not requesting any subdivision waivers or zoning variances. However, the Board raised a question regarding the curbing and sidewalk requirements contained within the subdivision regulations. The Town Solicitor is researching and preparing his determination on this matter and will present his findings at the May meeting. This project is classified as a minor subdivision and is at the preliminary plan review stage.

On April 10, 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 **June 12, 2021**, or within such further time as may be consented to by the applicant. A Minor Subdivision approval has a **ninety (90) day vesting period**.

The preliminary plan submission included the following:

- *Lincoln, RI Minor Subdivision prepared for William Hanna Jr Trustee, Survey of AP 45 Lot 72, Angell Road, Hillside Drive, & Maple Avenue*, dated January 4, 2019 prepared by Marsh & Long Surveying Inc.
- *Report from Natural Resources Services, Inc., regarding Proposed Residential Subdivision AP 45 Lot 72, Angell Road, Lincoln, Rhode Island*, prepared for: Marsh and Long Surveying, 450 George Washington Highway, Smithfield, RI, 02917, prepared by: Scott P. Rabideau, PWS, Principal Biologist, dated March 19, 2021.
- Letter from Lincoln Water Commission, dated March 25, 2021, to Stephen T. Long, Marsh & Long Surveying Inc., 450 George Washington Highway, Smithfield, RI, regarding AP 45 Lot 72 – 252 Angell Road.
- Letter from Lincoln Sewer Maintenance and Operation Division, dated March 26, 2021, regarding AP 45 Lot 72 – 252 Angell Road.
- Rhode Island Department of Environmental Management, Letter of Non-Jurisdiction – Wetlands Application No. 21-0088, dated May 10, 2021.

Site Layout

The Technical Review Committee reviewed the project submission. The original lot is 2.14 acres or 93,113 square feet and is located at the corner of Angell Road and Maple Avenue. The original lot is divided by two zoning districts. The RS-20 zoning district abuts Angell Road and extends into the lot for approximately 200 feet. The rear portion of the lot that runs along Maple Avenue is zoned RA-40. All proposed lots will meet their respective zoning district lot size.

The original lot (Parcel Lot 1 fronting Angell Road) will be reduced to 22,107 square feet. The proposed subdivided lot (Parcel Lot 2 fronting Angell Road) will be a total of 24,418 square feet with 20,807 upland and 3,611 wetlands. The proposed subdivided lot (Parcel Lot 3 fronting Maple Avenue) will be a total of 46,588 square feet with 40,950 upland and 5,638 wetlands. No work is allowed within a wetland, perimeter wetland, riverbank wetland, or buffer zone. Please note that the Rhode Island Department of Environmental Management is writing new regulations which will require buffer zones for all freshwater wetlands. Depending on when the new regulations go into effect and their impact on the onsite wetlands, a wetlands permit may be required for this proposed development prior to the issuance of building permits.

The original house was removed and the lot is vacant. Wetlands have been identified and verified along two areas on Maple Avenue. Access to proposed lots 1 and 2 will be from Angell Road, a town roadway. Access to proposed lot 3 will be from Maple Avenue, a town roadway. During the April Planning Board meeting, the Board raised a question regarding the curbing and sidewalk requirements contained within the subdivision regulations. The Town Solicitor is researching and preparing his determination on this matter and will present his findings at the May meeting.

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 parcel is divided by two zoning districts – RS-20 and RA-40. The RS-20 zoning district runs along Angell Road. Proposed Lot 1 and Lot 2 building envelopes are both located within the RS-20 zoning district. The proposed homes will be required to meet the RS-20 setback requirements. Proposed Lot 3 is located in the RA-40 zoning district which runs along Maple Avenue. Proposed Lot 3 building envelope is located within the RA-40 and will be required to meet the RA-40 setback requirements. 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 Angell Road and Maple Avenue. The new proposed houses will be connected to these public utility systems. Proposed Lot 2 and Lot 3 will each be assessed a \$950 Sewer Assessment Fee. The fee must be paid as a condition of Final Plan approval. The locations of the new sewer laterals will be reviewed and approved at the building permit stage. A Narragansett Bay Commission permit for each new lot will be required at the building permit stage.

Based on the project submission, the Technical Review Committee feels that the application successfully addresses the requirements set out in the Town’s Land Development and Subdivision Regulations with the exception of the curbing and sidewalk requirements. The Technical Review Committee recommends **Preliminary Plan Approval**.

The Final Plan must be recorded within the ninety (90) day vesting period. As a condition of Final Plan Approval, the applicant must pay a \$950 Sewer Assessment Fees for proposed Lot 2 and Lot 3 and add the following note to the record plan; “The setbacks shown are for reference only. Actual setbacks will be determined at time of construction”.

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

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

b. Louisquisset Pike Subdivision	AP 43 Lot 34	Preliminary Plan Discussion /
- North End Realty LLC	Louisquisset Pike & Twin River Rd	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**.

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 May 3, 2021.*

Site Layout

The Technical Review Committee reviewed the project submission. The original lot is 0.96 acres or 41,823 square feet and is located at the corner of Old Louisquisset Pike and Twin River Road. The original lot is in the RS-20 zoning districts. 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 were indicated on the submitted plans.

The original house remains on the property. This structure must be razed in accordance with building code specifications before Final Plan can be recorded. The Technical Review Committee recommends as a condition of Final Plan approval that the existing house be razed according to the building permit process.

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.

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. As a condition of Final Plan approval, a letter of water availability from the Lincoln Water Commission is required.

Based on the project submission, 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 existing house be razed according to the building permit process.
2. Granite curbing be installed along the entire frontage of the property.
3. Granite curbing 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. A letter of water availability from the Lincoln Water Commission is required.
7. 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.

According to the Subdivision Regulations, the Final Plan must be recorded within the ninety (90) day vesting period. The Technical Review Committee expressed concerns about the ability of the applicant to complete the above noted conditions of approval. The TRC recommends that the applicant request a Final Plan approval extension of one year.

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

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

Zoning Applications (*) – June Zoning Applications

Continued from March 2021 Meeting – No new information submitted.

Jeffrey Castle, 689 Putnam Pike, Glocester, RI – Application for Dimensional Variance seeking front setback relief for the construction of a new house on property located at Twin River Road, Lincoln, RI.

AP 45, Lot 356

Zoned: RA-40

Members of the Technical Review Committee reviewed the submitted plans and application for a Dimensional Variance seeking front setback relief for the construction of a new house on property located at Twin River Road, Lincoln, RI. According to the submitted site plan, the parcel contains a large wetlands complex. The applicant has not applied to the Rhode Island Department of Environmental Management to determine the extent of the non-jurisdictional land (buildable land) if any. The location of a new house will be dictated by the RIDEM during the permitting process. The Technical Review Committee recommends that the applicant go through the RIDEM permitting process before they seek local zoning relief if needed.

Continued from March 2021 Meeting – No new information submitted.

Lincoln Mobile Estates, 27 Woodward Road, Unit #41, Lincoln, RI – Application for Use Variance to convert existing single family home into a multi-family home which exists within a mobile home park located at 27 Woodward Road, Lincoln, RI.

AP 42, Lot 2

Zoned: RA-40

Members of the Technical Review Committee reviewed the submitted plans and application for a Use Variance to convert existing single family home into a multi-family home which exists within a mobile home park located at 27 Woodward Road, Lincoln, RI. The Technical Review Committee recommends **Denial** of this Use Variance. The application currently has two existing uses on the property. Therefore, they cannot meet the standards of a Use Variance. The Technical Review Committee feels that the application does not present the least relief needed. The Technical Review Committee feels that granting a Use Variance will impair the intent or purpose of the Zoning Ordinance and the Comprehensive Plan.

Arthur Cimini, 1 Paul Street, Lincoln, RI – Application for a Special Use Permit, seeking approval for residential scale, ground mount solar panels located in back yard at 1 Paul Street, Lincoln, RI.

AP 42, Lot 16

Zoned: RS-20

Members of the Technical Review Committee reviewed the submitted plans and application seeking a Special Use Permit for the installation of a residential scale, ground mount solar panels located in the back yard at 1 Paul Street, Lincoln, RI. The Technical Review Committee recommends **Approval** of this Special Use Permit. The installation will be located in the backyard of this residential property. The proposed installation will not exceed the permitted building height or zoning setbacks. 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.

The Lodge Pub & Eatery, 40 Breakneck Hill Road, Lincoln, RI – Application for
Dimensional Variance located at 40 Breakneck Hill Road, Lincoln, RI.
AP 25, Lot 44 Zoned: RA-40

Members of the Technical Review Committee reviewed the submitted plans and application seeking a Dimensional Variance seeking front setback relief for the construction of a deck on a commercial business. This application is actually a remodel and slight enlargement of an existing deck for a restaurant. The Technical Review Committee recommends **Approval** of this Dimensional Variance. The Technical Review Committee feels that the application presents the least relief needed. The Technical Review Committee feels that granting the dimensional variances will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

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