



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

OFFICE OF THE
TOWN PLANNER

April 22, 2021

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

Dear Honorable Members,

On Tuesday, April 20, 2021 at 3:00 PM, the Technical Review Committee met to review the agenda items for the April 28, 2021 meeting of the Planning Board. In attendance were Al Ranaldi, Peggy Weigner, Michael Gagnon, Jeffery Almond, Michael Reilly, Anthony DeSisto, and Francine Jackson. Leslie Quish and Russell Hervieux each reviewed the submitted plans 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. 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.

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.

The Director of Public Works expressed concern regarding the existing wetlands on Lot 3. According to the Director, the corner of Maple Avenue and Hillside Drive experiences chronic drainage problems due to the wetlands and surrounding topography. He is concerned that any new stormwater generated by a new home will contribute to this concern. The new property owner would need to carefully design engineering solutions to achieve zero net stormwater runoff. The Technical Review Committee does not feel comfortable advancing this minor subdivision without carefully reviewing the location of the new home, driveway and stormwater management system. The Technical Review Committee discussed their concerns with the attorney representing the property owner. The attorney agreed to extend the review period to the June meeting in order to address these concerns.

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 does not feel comfortable advancing this minor subdivision without carefully reviewing the location of the new home, driveway and stormwater management system. The Technical Review Committee discussed their concerns with the attorney representing the property owner. The attorney agreed to extend the review period to the June meeting in order to address these concerns.

Major Land Development Review

a. Lincoln Ridge	AP 31 Lot 38	Final Plan Discussion /
Washington Highway LLC	George Washington Highway	Approval

This application is under the 2016 Subdivision Regulations and represents the subdivision of a vacant 12.22 acre parcel of land into two lots. Proposed Parcel A will be 3.4 acres in size and remain undeveloped. Proposed Parcel B will be 8.8 acres in size and will be developed into a 107-room 4-story hotel and associated parking.

During a review of the final plan, it was brought to the attention of the Administrative Officer that several items contained on the approved plans were not completed by the developer. The items are as follows:

- 1) Obtain approval from civil engineer that improvements were installed in accordance with the approved plan, this includes the traffic improvements at the intersection of the Stop and Shop access drive and Route 116. (Hotel representative have received signoffs for site improvement from DiPrete Engineer for onsite work but not from Pare Corporation for the traffic improvements. It appears that the traffic improvements at the intersection

of the Stop and Shop Driveway and 116 are complete but they do not believe the improvements at the intersection of the Lincoln Mall driveway across from the Dunkin Donuts have been completed.)

- 2) The improvements at the intersection of the upper driveway and Stop and Shop need to be completed (stop signs, island, striping, sidewalk) – see attached. The paved areas at this intersection also needs to be modified as approved by the planning board. (This has not been completed. Waiting on developer to complete.)
- 3) The approved plan includes a sidewalk going from the hotel up to Stop and Shop as well as down to the gas station. This work must be completed. (This has not been completed. Waiting on developer to complete.)

Several attempts to have this work completed by the developer were made. The Town Solicitor instructed the Administrative Officer to put this project on the agenda for discussion and possible action by the Planning Board.

Zoning Applications (*) – May Zoning Applications

William King, 37 Olney Avenue, Lincoln, RI – Application for Dimensional Variance seeking a side yard and height relief on a newly constructed single-family house located at 37 Olney Avenue, Lincoln, RI.

AP 17, Lot 96

Zoned: RS12

Continued from March 2021 Meeting – No new information submitted.

Members of the Technical Review Committee reviewed the submitted plans and application seeking a Dimensional Variance seeking a side yard and height relief on a newly constructed single-family house located at 37 Olney Avenue, Lincoln, RI. The Technical Review Committee recommends **Denial** of these dimensional variances. This is a newly constructed house. During the building permit review stage, the building officials notice the possibility of the house being built over the maximum allowed building height. A note of caution was documented in the building permit file and presented to the contractor/homeowner. The Director of Public Works also expressed a number of occurrences where he had to point out deficiencies in site conditions during the construction of the house. The Technical Review Committee feels that the application does not present the least relief needed. The applicant can reconstruct the roofing system, which will eliminate the need for these dimensional variances. The Technical Review Committee feels that granting the dimensional variance will impair the intent and purpose of the Zoning Ordinance and the Comprehensive Plan.

Sean Gaughan, 6 Park Boulevard, Lincoln, RI – Application for Dimensional Variance seeking side and rear setback relief for the construction of an accessory dwelling unit at 6 Park Boulevard in Lincoln, RI.

AP 13, Lot 083

Zoned: RL-9

Members of the Technical Review Committee reviewed the submitted plans and application seeking side and rear relief for the construction of an accessory dwelling unit at 6

Park Boulevard in Lincoln, RI. The proposed addition will be located where the existing garage is located. The Technical Review Committee recommends **Approval** of these Dimensional Variances. The proposed location of the accessory dwelling unit will not disturb the existing functionality of the residence. 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.

Omar Paulino, 194 Althea Street, Providence, RI – Application for Dimensional Variance for lot area relief for two-family residential home located at 109-111 Lonsdale Main Street, Lincoln, RI.

AP 5, Lot 10

Zoned: RG-7

Members of the Technical Review Committee reviewed the submitted plans and application seeking lot area relief for a two-family residential home located at 109-111 Lonsdale Main Street, Lincoln, RI. The applicant is not proposing any new construction. According to the application, a previous owner, through permits, converted the house from a four-family to a single-family residence. The house remained physically set up as a two-family home. This application is to re-establish the house as a two-family home. The Technical Review Committee recommends **Approval** of these Dimensional Variances. The Technical Review Committee feels that the application presents the least relief needed and is consistent with the surrounding neighborhood. 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.

Waterloo Way, LLP, 3900 North West Second Avenue, Miami Florida – Application for Special Use Permit to locate a tattoo parlor inside an existing commercial property at 100 Higginson Avenue, Unit 1, in Lincoln RI.

AP 1 Lot 133

Zoned: MG-0.5

Members of the Technical Review Committee reviewed the submitted plans and application seeking a Special Use Permit locate a tattoo parlor inside an existing commercial property at 100 Higginson Avenue, Unit 1, in Lincoln RI. This use is allowed with a Special Use Permit. The Technical Review Committee recommends **Approval** of this Special Use Permit. The proposed tattoo parlor will be located within a commercial facility that contains many other uses. The property has ample customer parking. The Technical Review Committee feels that the Special Use Permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.

Respectfully submitted,

Albert V. Ranaldi, Jr. AICP

Albert V. Ranaldi, Jr. AICP

Administrative Officer to the Planning Board