

**Foster Planning Board
Meeting Minutes
Wednesday, March 21, 2007
Eddy Building 7:30 pm**

The Planning Board meeting was called to order at 7:45 pm by the Chair, Julia Parmentier. In attendance were Julia Parmentier, Patricia Moreau, Don Moyer, Mike Carpenter, Helen Hardy, John Neale, and Ann-Marie Ignasher, Town Planner. Also present were Paul Lemieux, subdivision applicant; Lynne Rider, Town Council member; and Heidi Colwell, Zoning Board member. David Costa, subdivision applicant and abutters: Ted Bentinaen, Steve Nestanpower, Christina DiComes, Cathy Hassell, and Cynthia Borden, plus engineering representative Brian P. Thalmann. William Fortin, commercial Site Review applicant, with Charles Knowles and Debra Messier. Commercial Site review for NW Community Health Robert Murray, Richard Lipsitz and John Shekarchi. Also present were Donna Lantini and Fred Sharp. State Representative Nicholas Gorham.

Minutes

Helen Hardy moved and Don Moyer seconded to change the agenda to move the minutes to the end of the meeting. Motion carried 6-0.

Correspondence

Land & Water Summit conference at URI on March 24, 2007.

Mike Carpenter has submitted an article on Rt. 6 rezoning workshops to Foster Home Journal.

Julia Parmentier letter to Town Council regarding Tony Lachowicz and zoning ordinance revisions.

Reports

None.

Subdivisions

Paul Lemieux, Minor Subdivision

Preapplication for Paul J. Lemieux, Minor Subdivision, Lot 51, Central Pike. Mr. Lemieux explained to the Board that there were originally two lots that were combined. Board members spoke to Mr. Lemieux about combining the two driveways due to the proximity to the covered bridge and its location on a fairly steep hill. Mr. Lemieux will meet with the Planner next week to discuss the number of driveway cuts and the length of the driveway to the northern house, the narrow point in the back lot, and the proximity of the east driveway to the lot line. Also since there is a possible "culverted stream," this may also be a concern of DEM in creating a new drive.

David Costa, Major Subdivision

Informational Meeting for Major Subdivision, Plat 18, Lot 25, Gene Allen Road. Town Planner, Ann-Marie Ignasher explained that initially there was a concern over whether all abutters were notified but this was confusion due to listing of abutters in Scituate as being in Gloucester, but that all abutters have been notified.

Brian Thalmann, engineer, presented this project to the Board. Mr. Thalmann explained that once approval is received, this project must then go for DEM approval, and many other steps. DEM has verified the wetland edge. Mr. Thalmann stated that there is a dual-permitting process between Foster and Gloucester and that Stone Dam Road, and some lots, are in Gloucester. Don Moyer questioned why there was access from the frontage on the lots when we encouraged a shared drive on a previous application. Julia explained that on the previous plan it was not a shared drive but a right-of-way across several properties to access one lot.

There was a discussion of the plan that was under review. The plan being shown was dated January 2007. Ms. DiComes, an abutter, stated that she had been in the Planning Office the previous day and that this plan was not in the file.

Mr. Bentinaen also maintained that he had been in the Planning Office the previous day and the plans in the office were not those being presented. Mr. Costa stated that the plans and narrative descriptions had been delivered to the Planning Office in early February.

Ann-Marie Ignasher indicated that last Friday was her first day as Planner and indicated that the confusion over plans may mean that it would be prudent to continue the informational hearing at a subsequent meeting.

Mr. Costa questioned where the plans delivered to the Town were. The Planner said she would make enough copies of the plans for the Board and that copies would be available for citizens to review in the Town Hall. Mr. Bentinaen asked if a set could be provided to the abutters by mail. The Board indicated that it is not required to send them out but to provide them for review at the Town offices.

The Planner will make 11 x 17 copies of the plans and will be receptive to residents who would like to obtain copies.

Mike Carpenter asked why the abutters were concerned. Ms. DiComes said that she did not think the lots shown on the plan she saw conformed with zoning regulations. Mr. Nestanpower expressed concern about maintaining the rural character of the town in this project, and he is also concerned about the number of houses involved in the project. He also expressed concern about groundwater. A previous project on Stone Dam Road was not able to be developed.

Ms. DiComes said that she has concerns regarding the lots meeting subdivision regulations. Ms. DiComes spoke to Ray Goff, planner in Gloucester, and was told that there is no definite application in Gloucester for this project at this time. Mr. Goff suggested that the application and permitting process should be done in conjunction with Gloucester.

Ms. DiComes noted that the two towns have different considerations and the permitting process probably needs to take the regulations of both towns into consideration.

Brian Thalmann indicated that this application was on the agenda at the Gloucester Planning Board as a pre-application for February 5, 2007, and also in 2006.

Kathy Hassell, an abutter, asked if Gloucester is reviewing the same plans as presented tonight and Mr. Thalmann answered that they were.

Ted Benttinen, an abutter, expressed the concern that Mr. Costa had proposed a golf course on this property and had gotten his support. He felt deceived by the applicant.

Cynthia Borden said that Mr. Costa had indicated when he brought the property from her that he was going to build a golf course on it.

Kathy Hassell said that Mr. Costa had also represented to her that he was going to build a golf course.

Mr. Benttinen also wanted to express his concern that the development would destroy the rural character of the town and that he will be forced to move from his abutting farm because it will change the character of the neighborhood.

Pat moved to table this issue until April 18, 2007. John Neale seconded. Motion carried 6-0.

William Fortin, Commercial Site Review

Twisted Liquors, Plat 17, Lot 57, Hartford Pike. This public hearing was advertised in the *Valley Breeze and Observer*, posted in public areas and abutters were notified by mail.

Attorney Knowles presented this plan. The plan now identifies well and existing ISDS, external lighting, space for delivery trucks and parking spaces.

School, police, building inspector, and fire department have inspected the site and written reports. The Police report indicated concern regarding backing out into Winsor Road. Debra Messier showed the employees will not park in back and the two north-side spaces were removed so that there are not spaces close to the Rt. 101 intersection.

There are eight spaces shown, four to the west of the building. The Board asked that the Planner and Police Chief look at these parking spaces and make a determination on the suitability of those parking spaces and the room to back out without being in the road.

Mike Carpenter moved to continue the Commercial Site Review until April 4, 2007. Pat Moyer seconded. Motion carried 6-0.

Northwest Community Health Care, Pre-application Review

Robert Murray, Esq. presented this application with Engineer Richard Lipsitz. NW Community Health Care currently operates a facility in Pascoag and three percent of their clients are Foster residents. Property owner John Shekarchi was also present. Current zoning for building size is 5000 square feet. There are significant constraints on this property. The proposed facility is 8000 sq. ft., driven by the profile of services and to keep the facility on one floor. It is at the northeast corner of Shippee Schoolhouse Road and Danielson Pike.

The western side of this lot is under consideration due to wetland areas on the east side.

It will also need a 10-foot relief from the front setback regulations.

It will also need relief for a 30-foot buffer strip from the highway margin. No parking or signage is allowed, but there are turning lanes and other considerations needed in this area. Also, building coverage in a Highway Commercial zone cannot exceed 6000 sq. ft., and they would need relief from this regulation.

Project hours are Monday through Friday, mostly day, possibly one weekend day, one night. This would be primary care and dental, some mental health counseling. Also lab work could be done here.

Julia asked if DEM will permit running water lines through the wetlands and Mr. Lipsitz said this had been done previously.

Septic system shown in corner is outside required setbacks.

Parking lot and roof drainage will have water quality treatment.

Mike Carpenter asked about NW Community Health Care. Mr. Murray explained that it is a non-profit organization which has federal funding; the construction would be funded by the Department of Agriculture. Demographic studies were done to determine need. Heidi Colwell explained that this property was the only available site on Route 6 to support the size of the building.

Mike Carpenter expressed concern over the safety of this location in terms of traffic flow, since all access is likely to be by private vehicle. Mr. Murray said that they have not yet had a traffic assessment done.

Mike Carpenter said the Board would be very favorable to having a medical facility in town, but we need professional advice regarding the suitability of the site regarding traffic, turning lanes would ameliorate the situation.

Julia asked if there would be any problem getting the well approved as a public well and Mr. Lipsitz said that this concern had already been addressed.

The Board will make a recommendation to Zoning regarding this application, and a traffic study would be needed before it comes back to this Board.

Pat Moreau moved and Mike Carpenter seconded that we recommend that the Zoning Board consider granting relief from the dimensional issues, with the understanding that if the Zoning Board is willing to grant the variances, the application will return to the Planning Board for a site plan review; this proposal conforms to the comprehensive plan to meet the needs of the citizens of Foster. Motion carried 6-0.

New Business

State Housing and Conservation Trust Fund Act

State Representative Nicholas Gorham spoke regarding the State Housing and Conservation Trust Fund Act, and asked for the Planning Board's endorsement of Amendment of H-5990. Mr. Gorham showed a map of the state which delineated communities that are exempt from low & moderate Affordable Housing. Foster is in the Pawcatuck border land, the largest forest between New York and Boston. Nature Conservancy and the Champlin Foundation have attempted protection of this area. The Town of Foster is the only town completely encompassed within this area.

Representative Gorham is proposing a bill stating that if the low & moderate housing act conflicts with 5-acre zoning, that the 5-acre zoning will prevail. Mike Carpenter pointed out that this area takes responsibility for its own water and septic, among other things.

Don Moyer moved and Pat Moreau seconded to endorse Representative Gorham's bill. Motion carried 5-0. Mike Carpenter abstained.

Donna Lantini

Ms. Lantini appeared before the board to ask about the feasibility of building an affordable unit on a lot on Route 6. The board indicated that it would be favorable to a single family Affordable Housing unit since this area is being considered for rezoning as residential: The lot is pre-existing, substandard, and the board indicated that a business would not be approved on this lot as it isn't large enough to support a public well. The lot is not large enough for a septic system for a multi-family unit. The Board advised Ms. Lantini that a single Affordable Housing dwelling would be recommended by the Board. This area was tentatively designated to be zoned residential.

July 4th meeting

Pat Moreau moved to eliminate the July 4, 2007, Planning Board meeting. John Neale seconded. Motion carried 6-0.

Minutes

John Neale moved to table approval of the minutes from March 7, 2007, until the next meeting. Pat Moreau seconded. Motion carried 6-0.

Adjournment

Don Moyer moved to adjourn at 11:00. Motion carried 6-0.

Respectfully Submitted:

Helen Hardy
Secretary