



**PLANNING BOARD MEETING MINUTES
TOWN OF FOSTER**

**Benjamin Eddy Building, 6 South Killingly Road, Foster, RI
Wednesday: October 15, 2008 AT 7:00 p.m.**

A. Call to Order

Meeting was called to order at 7:01 by Julia Parmentier, Chair.

B. Roll Call

Present from the Planning Board were Julia Parmentier, Chair; Pat Moreau, Vice Chair; Helen Hardy, Secretary; members John Neale, Tom Mercier, Mike Carpenter, and Marcia Bowden. Also present were Ann-Marie Ignasher, Town Planner; John Bevilacqua, Town Solicitor; Kathryn Zuromski, Conservation Commission; Raymond & Heather DiFazio, Andrew Rainville, Brian Thalman,

C. Approval of Minutes

September 3, 2008, September 13, 2008, September 27, 2008, October 1, 2008

Tom moved to approve the minutes of September 3, September 13, September 27, October 1, Pat seconded the motion

Tom moved to withdraw the motion and Pat withdrew the second.

Tom Mercier moved to approve the minutes of September 3, 2008, Mike Carpenter seconded motion carried unanimously 7-0

Pat Moreau moved to approve the minutes of September 13, 2008, Mike Carpenter seconded, Tom Mercier abstained, motion carried 6-0.

Pat Moreau moved to approve the minutes of September 27, 2008, Marcia Bowden seconded, Tom Mercier and John Neale abstained, motion carried 5-0.

John Neale moved to approve the minutes of October 1, 2008, Mike Carpenter seconded, Tom Mercier abstained, motion carried 6-0.

D. Correspondence and Review

Received letter from Turnquist Lumber withdrawing their application - noted.

E. Board Members' Reports

None

F. Planner's Report

August 2008, September 2008 - noted

G. Administrative Subdivisions

None

H. Minor Subdivisions

Gene Allen Road / Rainville, Andrew & Denise

AP 18 – Lot 20A – Existing 27.0544 acres +/-

Proposed number of lots: two (2)

Proposed: Lot A – 13.8906 acres +/-

Proposed: Lot B – 13.1639 acres +/-

*Pre-application
Discussion*

Brian Thalman presented this application. A two lot subdivision is proposed. Mr. Thalman explained to the board that the "new" lot did not have 300 feet of continuous frontage on Gene Allen Road, even though the total frontage exceeded that amount. After some discussion of various alternatives, it appears that the Rainville's will need to make an application to the zoning board of review to seek relief from the 300 feet continuous frontage requirement.

The other option would have been to seek relief from the zoning board regarding the 100 foot set back requirement from the boundary (lot line) regarding the existing septic on the existing residence (Lot B) – therefore the board suggested the above.

Board members asked about the stream and stream setbacks and the wetland at the front of the property and it was noted that the parcel has been granted an insignificant wetlands permit.

Members discussed drainage from the culvert and drainage from the proposed septic system, which has been approved by DEM.

Members requested that the Town Planner Ann-Marie walk the site with the owner and Mr. Thalman and had no other problem with this application proceeding to zoning for a frontage variance; it was also suggested that the applicant might want to see if an administrative subdivision with the adjacent lot is possible to avoid needing the variance, but this might be investigated simultaneously with proceeding to Zoning.

Luther / Howard Hill Road / DiFazio, Raymond

AP 5 – Lot 64 – Existing 160 acres +/-

Proposed number of lots: two (2)

Proposed: Lot A – 5.0 acres +/-

Proposed: Lot B – 155.00 acres +/-

*Preliminary
Discussion / Decision*

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This property had a waiver of the Class I survey for the entire site, except for the metes and bounds survey of the property line.

- Well needs 100' radius shown
- Proper description of OWTS
- Notation that the deed must show the requirements for continuous maintenance of the OWTS.
- Boundary survey must have the metes and bounds legal description.

Tom Mercier moved, Pat Moreau seconded to approve, the application of Raymond DiFazio, and landowners John DiFazio and Anna DiFazio to subdivide the real estate located on Luther Road, Foster, RI 02825, also known as Tax Assessor's plat 5 lot 64 consisting of approximately 160 acres +/-, into two separate and distinct parcels; parcel A to contain approximately 5 acres +/- and Lot B to contain the remaining 155 acres +/-; all as shown on that plan entitled: "Preliminary submission for a proposed minor subdivision "MONDO ESTATES", Assessor's Plat 5 Lot 64, Luther Road & Howard Hill Road, Foster, Rhode Island", said plan is dated 08/02/08, prepared by Scituate Surveys, Inc., 410 Tiogue Avenue, Coventry, Rhode Island 02816, 401-821-8101, by John Mensinger, Professional Land Surveyor no. 1806.

Said motion is based upon the following:

- (1) The proposed development is consistent with the comprehensive community plan.
- (2) That the proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance.
- (3) There will be no significant negative environmental impacts from the proposed development as shown on the preliminary plan with all required conditions for approval.
- (4) The subdivision will not result in the creation of an individual lot with any physical constraints to development that building on that lot according to pertinent regulations and building standards would impracticable.
- (5) All proposed land development and all subdivision lots have adequate and permanent physical access to a public street.

Additional conditions of approval:

- (1) That a fee in lieu of land dedication in the amount of $(\$1,335.00 \times 2 \text{ lots}) = \$2,760.00$ will be due and payable at the time of the recording of the final plans.
- (2) That the plan needs to show a 100' radius shown around the proposed well.
- (3) That the plan needs to give a proper and accurate description of the OWTS.
- (4) That both the plan and deed must show the requirement for continuous maintenance of the OWTS.
- (5) That a copy of the maintenance contract for the OWTS be filed with the building and zoning official for the Town of Foster.
- (6) That a proper metes and bounds legal description of proposed parcel is submitted to the Planner prior to final approval review.

Motion carried unanimously 7-0.

I. Major Subdivisions

Rte 101 & Winsor Road /Twisted Liquors, Inc. /Turnquist Lumber Co. *Master & Preliminary Plan Discussion/Decision*
AP 17 – Lot 57 – Existing 38.19 +/- acres
Proposed Number of lots: two (2) *Application withdrawn per request of landowner-*
Proposed: Lot A - 4.53 acres +/- *Turnquist Lumber*
Proposed: Lot B – 33.66 acres +/-
Pre-Application Meeting – 02/20/08
Second Pre-Application Meeting - 04/16/08
Third Pre-Application Meeting – 08/20/08
Public Informational Meeting – 10/01/08

A letter from the property owner Turnquist Lumber Co, Inc. was received and the letter requested that the application regarding this parcel be withdrawn.

Tom Mercier moved to accept the letter and allow the application be withdrawn without prejudice. Pat Moreau seconded.

Motion carried unanimously. 7-0

NOTED FOR THE RECORD: Allowing the application to be withdrawn without prejudice allows the landowner and the applicant to resubmit the application; however, the applicant will have to start the process over from the beginning; meaning a new application must be completed, new application fees must be paid, and another informational meeting must be held.

J. Commercial Site Reviews

None

K. Old Business

None

L. New Business

10-25-08 workshop will be an Ordinance Revision Workshop. Town Council will be notified.

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M. Future Agenda Items

1) Workshop Items

November 5 – Outdoor Wood Boilers
FEMA Flood Maps – Draft Ordinance Approval
Affordable Housing

2) Upcoming Applications

Nelson, Amy – Residential Compound – Johnson Road
Maps received, awaiting application
Dolce / Spencer – Administrative Subdivision – Paine Road
Maps received, awaiting application

N. Adjournment

Tom Mercier moved to adjourn at 8:43 p.m.
Motion carried unanimously 7-0.

Respectfully submitted,

Helen Hardy
Secretary