



**PLANNING BOARD MINUTES
TOWN OF FOSTER**

**Benjamin Eddy Building, 6 South Killingly Road, Foster, RI
Wednesday: December 16, 2009 7:00 p.m.**

A. Call to Order

Meeting was called to order at 7:02 p.m. by Pat Moreau, Chair

B. Roll Call

Present from the Planning Board were Pat Moreau, Chair; John Neale, Vice Chair; members Julia Parmentier, Tom Mercier and Marcia Bowden. Helen Hardy and Mike Carpenter arrived late. Also present were Ann-Marie Ignasher, Town Planner; Kathryn Zuromski, Conservation Commission, Albert Thoman, Nicholas Veltri, Andrew Rainville, and Brian Carpenter.

C. Approval of Minutes

Planning Board Meeting November 4, 2009
Rte 6 Rezoning Meeting November 14, 2009
Planning Board Meeting November 18, 2009
Planning Board Meeting December 2, 2009

Tom Mercier moved to table the minutes to January 6, 2010, John Neale seconded, motion carried 5 – 0.

D. Correspondence and Review

December Tracking Sheet - noted

E. Board Members' Reports

John Neale reported that the Land Trust will continue with articles for the Foster Home Journal.

F. Planner's Report

Reports for October and November – noted
Tom Mercier moved to accept and place on file, Marcia Bowden seconded motion carried 5 – 0.

G. Zoning – Opinion Requested

None

H. Commercial Site Reviews

None

I. Administrative Subdivisions

None

J. Minor Subdivisions

Cucumber Hill Road / Crispi, Robert & Hilda

AP 7 Lot 25

Existing Lot 24.5421 acres +/-

Proposed Lot A 7.6802 acres +/-

Proposed Lot B 16.8619 acres +/-

PRE-APPLICATION/CONCEPTUAL REVIEW – 11/19/08

PRELIMINARY – October 21, 2009 - APPROVED

*Final Review
Discussion/Action*

Ann-Marie gave a brief history of the application/ property.

Tom Mercier moved to accept, John Neale seconded, motion carried 6 – 0.

Conditions that should be met read by John Neale

- 1) That the legal description be reviewed once again before the recording of the final plans, to verify that the minor corrections suggested have been completed.
- 2) That the final minor subdivision plans be reviewed once again before recording to verify that the minor corrections to those plans have been completed.
- 3) That the fee in lieu of land dedication in the amount of \$2,670.00 be paid at the time of recording of the final plans.

Given the above John Neale motioned to approve the final application of Robert and Hilda Crispi to subdivide the real estate located at 97 ½ Cucumber Hill Road, Foster, RI 02825, a/k/a Tax Assessor's Plat 7 Lot 0025 into two separate and distinct parcels as shown in the following plan entitled "Final Minor Subdivision, Hilda P. Crispi, AP 7 Lot 25 Cucumber Hill Road, Foster, RI, Prepared by National Surveyors – Developers Inc., 42 Hamlet Ave., Woonsocket, RI 02895, Tel. (401) 769-7779, Norbert A. Therien, Professional Land Surveyor, dated September 2008, and revised on 10-26-09".

Said approval is based upon the incorporation of the conditions listed above to verify that the requested minor corrections to the legal descriptions and maps were completed, and that the fee in lieu of land dedication fee listed above is paid at the time of recording of the final plans.

Tom Mercier seconded the Motion.
There was no further discussion.

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Members Voting to Approve: John Neale, Tom Mercier, Mike Carpenter, Julia Parmentier, Patti Moreau and Marcia Bowden.

Members Voting Against: None

Members Absent At Vote: Helen Hardy

Motion Carries: 6 to 0

**Salisbury Road / Thoman, Albert & Edna
AP 8 Lot 13**

*Preliminary Review
Discussion/Action*

Existing Lot 23.95 acres +/-

Proposed Lot A 8.259 acres +/-

Proposed Lot B 15.6888 acres +/-

PRE-APPLICATION/CONCEPTUAL REVIEW – 02/18/09

Ann-Marie gave a brief history of the application. Nick Veltri, Land Surveyor presented this application.

Tom Mercier moved to approve the application of applicants and landowners Albert and Edna Thoman to subdivide the real estate located on Salisbury Road, Foster, Rhode Island 02825, also known as Tax Assessor's Plat 8 Lot 13 consisting of approximately 23.95 acres +/-, into two separate and distinct parcels; parcel A to contain approximately 8.259 acres +/- and Lot B to contain 15.688 acres +/-; all as shown on that plan entitled: "Minor Subdivision – Salisbury / Balcom Road, Preliminary Submission for a proposed minor subdivision for Albert & Edna Thoman 22 Salisbury Road, Foster, RI 02825, Assessor's Plat 8 Lot 13," said plan is dated July 2008 and revised December 2008, April 2009 and November 2009; prepared by N. Veltri Survey Inc., 190 Putnam Pike, Johnston, Rhode Island 02919, 401-231-3200, by Nicholas Veltri, Professional Land Surveyor No. 1719. Said motion includes and incorporated any and all conditions of approval listed.

Said motion is based upon the following:

- 1) The proposed development is consistent with the comprehensive community plan.
- 2) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance.
- 3) There will not be any significant negative environmental impacts from the proposed development as shown on the preliminary plan, with all required conditions for approval.
- 4) The subdivision as proposed 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 be impracticable.
- 5) All proposed land development and all subdivision lots have adequate and permanent physical access to a public street.

Conditions of approval:

- 1) That a fee in lieu of land dedication be applied to the proposed minor subdivision in the amount of \$2670.00. Said fee must be paid at the time of recording of the final plans. The final plans will not be recorded until the fee is paid in full.
- 2) The proposed OWTS must be approved, and evidence of approval must be received in the planning office prior to the applicants coming before the planning board for final approval.
- 3) That the proposed legal descriptions for the two proposed lots be submitted to the administrative officer for review and approval prior to the applicants coming before the planning board for final approval.
- 4) That the applicants provide the planning department with a revised, updated municipal lien certificate to verify that all real estate taxes are paid to date.
- 5) That notes should be made on the final plans regarding the following: 1. rare and endangered species 2. Natural heritage areas 3. Farmland /conservation districts 4. Scituate Reservoir Watershed District 5. Indication of property's location in relation to 100 year floodplain 6. Historical cemeteries (if any) and 7. Wet land issues (if any).
- 6) Regarding the Bottom Sand Filter – OWTS – the planning board is requiring the following conditions be met a) that each residence have an maintain an emergency generator on the premises to provide electricity to the OWTS in case of emergency; b) that a copy of the maintenance contract for the BSF / OWTS be recorded at town hall with an additional copy being put on file with the building and zoning official's office; and that both of these OWTS requirements are shown on the final recorded plan.
- 7) That if the landowner intends to retain right in a to a particular existing dug well on Parcel B, then the landowner must show the easement to the well on the final plans, and must mention the retention of those rights for the benefit of himself, his heirs and assigns on said final plans.

John Neale seconded the motion, and there was no further discussion on the motion.

Members Voting to Approve: John Neale, Tom Mercier, Mike Carpenter, Julia Parmentier, Patti Moreau, Helen Hardy and Marcia Bowden.

Member Voting to Deny: None

Members Absent: None

Motion Carries: 7 to 0.

**Gene Allen Road / Rainville, Andrew & Denise
AP 18 Lot 20A**

*Preliminary Review
Discussion/Action*

Existing Lot 27.0545 acres +/-

Proposed Lot A 13.8392 acres +/-

Proposed Lot B 13.1616 acres +/-

PRE- APPLICATION/CONCEPTUAL REVIEW 10/15/08

ADMINISTRATIVE SUBDIVISION 08/19/09

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Ann-Marie gave a brief history of the application.

Tom Mercier moved to approve the application of Andrew & Denise Rainville to subdivide the real estate located on Gene Allen Road, Foster, Rhode Island 02857 also known as Tax Assessor's Plat 18 Lot 20A, consisting of approximately 27.05 acres +/- into two (2) separate and distinct parcels, Parcel A to contain approximately 13.8392 acres +/-, and Lot B to contain 13.1616 acres +/- all as shown in the plan entitled "Minor Subdivision Andrew and Denise Rainville Assessor's Plat 18 Lot 20A Gene Allen Road, Foster, Rhode Island prepared by National Surveyors – Developers Inc. 42 Hamlet Avenue, Woonsocket, Rhode Island 02895 Tel 401-769-7779, Norbert A. Therien, Professional Land Surveyor, dated July 2009."

Said motion is based on the following

- 1) The proposed development is consistent with the comprehensive community plan.
- 2) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance.
- 3) There will not be any significant negative environmental impacts from the proposed development as shown on the preliminary plan, with all required conditions for approval.
- 4) The subdivision as proposed 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 be 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 be applied to the proposed minor subdivision in the amount of \$2670.00 Said fee must be paid at the time of recording of the final plans. The final plans will not be recorded until the fee is paid in full.
- 2) No further subdivision of sub-parcel A (the new residence) as shown on the applicants' plan, which consists of 13.29 acres +/-, will be allowed. This restriction must appear on the final plans prior to recording and must appear within the legal description on the deed for said parcel.
- 3) That notes shall be made on the final plans regarding the following: 1. rare and endangered species; 2. natural heritage areas; 3. farmland / conservation districts; 4. Scituate Reservoir Watershed District; 5. indication of property's relation to the 100 year floodplain; 6. historical cemeteries (if any), and 7. wet land issues (if any).
- 4) Legal descriptions of both parcels shall be provided to the administrative officer for review and approval prior to the final subdivision approval.

John Neale seconded the motion, and there was no further discussion of the motion.

Members Voting to Approve: John Neale, Tom Mercier, Mike Carpenter, Julia Parmentier, Pattie Moreau, Helen Hardy and Marcia Bowden.

Members Voting to Deny: None.

Members Absent: None.

Motion Carries: 7 to 0.

K. Major Subdivisions/Land Development

None

L. New Business

None

M. Old Business

None

N. Future Agenda Items

January 6, 2010 – Capital Budgets

There was a discussion on the timing of the Capital Budget hearing.

January 20 - Major Subdivision – Master Informational Meeting

There was a discussion on the number of subdivisions that are scheduled for one evening.

Tom Mercier asked to put on future agenda items, the review of the Planning Board By-Laws.

Tom Mercier commends Julia on behalf of the Board for her years of service as the Chair of the Planning Board.

There will be a Rte 6 Re-Zoning Workshop on January 23, 2010.

O. Adjournment

John Neale moved to adjourn at 8:45 p.m. Motion carried unanimously.

Respectfully submitted,

Helen Hardy, Secretary