



**PLANNING BOARD MINUTES
TOWN OF FOSTER
Benjamin Eddy Building
6 South Killingly Road, Foster, RI
Wednesday: February 16, 2011
7:00 p.m.**

A. Call to Order

Meeting was called to order by John Neale, Chair at 7:05 p.m.

B. Roll Call

Present from the Planning Board were John Neale, Chair, Julia Parmentier, Vice Chair; Helen Hardy, Secretary; members Sisan Smallman, Susan Mara and Mike Carpenter. Member Tom Mercier was excused. Also present was Attorney David Igliazzi, Town Solicitor, James Flynn, Attorney Scott Spear, Todd Brayton, Lazlo Siegmund, Alex Drinkwater, Cathy Drinkwater, Aubrey Atwater Donnelly, Elwood Donnelly, Noah Donnelly and Ron Cervasio.

C. Approval of Minutes

Planning Board – January 19, 2011

Julia Parmentier moved to approve the minutes of January 19, 2011; Susan Mara seconded, motion carried unanimously 6-0.

D. Correspondence and Review

Letter to Town Council - Capital Improvement Budget Request Letter

March Tracking Sheet

Letter to Zoning Board – William Fortin

Correspondence - noted

E. Board Members' Reports

Susan Mara submitted a letter from the Conservation Commission with regards to the Major Subdivision of Blue Dog Investments, LLC

F. Planner's Report

Planner's Report – January 2011 - noted

G. Zoning – Opinion Requested

None

H. Commercial Site Reviews

None

I. Administrative Subdivisions

East Killingly Road / **Rambone, Timothy – Blackmar, Shana**

AP 14 Lot 0049A – AP 14 Lot 0049

Existing acreage 12.9356 acres +/-

Total proposed acres for Lot 0049A - 42.8465 acres +/-

Total proposed acres for Lot 0049 – 5.8998 acres +/-

Transfer of 29.9108 acres +/- to Lot 0049A from Lot 0049

*Planner's Decision
Report to Board*

Julia moved to accept this Administrative Subdivision; Susan Mara seconded, motion carried unanimously 6-0.

8 Whipoorwill Terrace / **Delvecchio, David**

AP 10 Lot 0029 – AP 10 Lot 0029A

Existing acreage Lot 0029 – 113.8 acres +/-

Existing acreage Lot 0029A – 1.1 acres +/-

Tom Woods Road / **Foster Land Trust**

AP 13 Lot 0070

Existing acreage Lot 0070 – 101.8 acres +/-

Total proposed acres for Lot 0029 – 15.0 acres +/-

Total proposed acres for Lot 0029A – 1.1 acres +/-

Total proposed acres for Lot 0070 – 200.6 acres +/-

Transfer of approx. 100 acres +/- to Lot 0070 from Lot 0029/0029A

*Planner's Decision
Report to Board*

Eventually there will be an Administrative Subdivision of 15 +/- acres and the remainder will be donated to the Land Trust. Access to the lot will be from Whipoorwill Terrace. Susan Mara moved to accept this Administrative Subdivision, Sisan Smallman seconded. Motion carried unanimously 6-0.

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J. Minor Subdivisions

17 Walker Road / **Donnelly, Elwood & Aubrey**
AP 5 Lot 0034
Existing acreage 9.622 acres +/-
Proposed Lot A – 4.81 acres +/-
Proposed Lot B – 4.81 acres +/-

*Preliminary Review
Discussion / Decision*

Preapplication/Conceptual Review – 07/21/10

Aubrey and Elwood Donnelly explained that the parcel was to rejoin the original barn and farm. There is no intention to build. Board members explained that there will be a deed restriction that prevented building or a conservation easement held by an entity like the Land Trust.

Ron Cervasio asked if there is a precedent for creating an illegal lot. It was explained that with a deed restriction it is not an illegal lot.

Elwood Donnelly and Aubrey Atwater Donnelly, 17 Walker Road AP 5 Lot 34 originally 9.837 acres +/- to be subdivided into 2 (two) lots. Lot A 5.1 acres +/- (unbuildable) and Lot B 4.729 acres +/- (existing dwelling) as shown on the Class I survey plan prepared by Flynn Surveys Inc. 10 Fieldview Road Hope, Rhode Island 02831. Jim Flynn professional land surveyor dated December 17, 2010.

Findings of fact:

- Consistent with the comprehensive Plan
- Promotes protection with the existing and built environment
- Parcel B is consistent with Foster Zoning Ordinance
- Parcel A if designated as unbuildable lot will be consistent with Foster Zoning Ordinance
- There are no significant environmental impacts
- The subdivision will create 1(one) lot unavailable for development and will be so designated with a deed restriction.
- will have permanent physical access to a public street.
- conditions for approval will be the deed restriction.

Attorney Iglizzi recommended the deed restriction be in a form approved and accepted by the Planner.

Julia Parmentier moved to approve the subdivision of AP 5 Lot 34, 17 Walker Road with existing acreage of 9.837 acres +/-, owned by Noah and Jessica Donnelly with Lot A 5.108 acres +/-, Lot B 4.729 acres +/- according to the findings of fact, seconded by Sisan Smallman, motion carried unanimously 6-0.

K. Major Subdivisions

Gene Allen Road/ Costa, David /Lisa
Applicant – Blue Dog Investments, LLC
AP 18 Lot 0025

*Preliminary Plan Review
Public Hearing
Discussion / Decision*

Existing Lot size 130.8 +/- acres
Proposed number of lots – nine (9)
Proposed Lot 1 27.84 acres +/- Gloucester
Proposed Lot 2 4.59 acres +/-
Proposed Lot 3 8.65 acres +/-
Proposed Lot 4 4.95 acres +/-
Proposed Lot 5 11.64 acres +/-
Proposed Lot 6 11.41 acres +/-
Proposed Lot 7 4.76 acres +/-
Proposed Lot 8 4.70 acres +/-
Proposed Lot 9 58.18 acres +/-

Preapplication / Conceptual Review– 08-19-09

Master Plan Review / Informational Meeting – 01-20-10

John Neale read the hearing/rules of the Public Hearing.

This application was presented by Attorney Scott Spear who agreed to provide a copy of the stenographers report.

The time window on this application began January 24, 2011 when the application was certified complete. Scott Spear noted that it received the Master Plan approval on March 10, 2010.

Traffic Engineer Todd Brayton, Traffic Engineer, Bryant Associates, Lincoln RI was prompted by Attorney Spear to answer all issues regarding the safe accommodations of all traffic, drainage and circulation issues.

- 1)signage on Stone Dam Road
- 2)addition of guard rails to be added in the sites recommended by the Town Engineer.
- 3)Change of slope in grade in road from 7.37 to 6.7

There was a question on the traffic study including delivery, service and personal traffic; a redesigned entry into Stone Dam Road diagram was submitted and entered into evidence as Exhibit A.

The public is welcome to any meeting of the Planning Board. If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation, please contact the Town Clerk's Office 392-9200 at least two (2) business days prior to the meeting.

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Scott Spear submitted a letter into evidence as Exhibit B from Scott Spear to the Drinkwater's attorney regarding issues with the Town of Gloucester on their property about the entrance to the subdivision from Stone Dam Road.

Mike Carpenter questioned Todd Brayton on the turning radius of vehicles that would access the development.

Susan Mara asked about the guard rail design and Mr. Brayton indicated that they were of timber construction as recommended by the RIDOT.

Mike Carpenter asked for the turning radius to be put on the documents because of a concern that he has with the driveway on Lot 5. Mr. Spear asked Mr. Brayton to overlay the turning radius of various vehicles.

Julia Parmentier was concerned that the use of the generic traffic study did not adequately reflect the impact of the development to the traffic on Gene Allen Road.

Mr. Spear called upon Lazlo Siegmund, Road Engineer at Resource Control in Pawtucket, resume Exhibit C was entered into record.

Mr. Siegmund discussed the changes in the slope as well as the changes in the culvert. Mr. Siegmund's responses to the Town Engineer's comments were entered into record as Exhibit D.

Bob Atwood – Professional Engineer/ Supervisor of the company made a comment about the storm water management regulations for retention basins. Susan Mara points out that Foster has few retention basins and maybe a maintenance plan should be made as a condition of approval.

A letter from the Conservation Commission with regards to maintenance of swales was put in record as Exhibit E.

Mike Carpenter asked who would take care of the maintenance. Mr. Spear proposed that a Homeowner's Association for the development would maintain the retention basins, this could be made a condition of approval.

Mr. Spear asked that the DEM review of changes that were requested be incorporated into the final plan.

A study of the Nitrogen loading resulting from the development was submitted as Exhibit F by Mr. Spear.

Performance bond has not been sent out for bid as of yet and will be submitted at the next meeting.

David Iglizzi recommended that Mr. Spear speak with the applicant regarding a Homeowner's Agreement.

Mike Carpenter moved to continue the Public Hearing to March 16, 2011 if all materials are ready; or to April 20, 2011 if they are not ready, seconded by Susan Mara, motion carried unanimously

L. New Business

M. Continued Business

N. Future Agenda Items

March – Review CDBG applications
Schedule meeting with Department heads/Engineering Board
Comprehensive Plan revision
Ordinances
Potential alternative energy development
5 year road plan

O. Adjournment

Susan Mara moved to adjourn at 10:17 p.m. motion carried unanimously.

Respectfully submitted,

Helen Hardy, Secretary