



**PLANNING BOARD MINUTES**  
**TOWN OF FOSTER**  
**Benjamin Eddy Building, 6 South Killingly Road, Foster, RI**  
**Wednesday: August 17, 2011**  
**7:00 p.m.**

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**A. Call to Order**

Meeting was called to order by John Neale, Chair at 7:02 p.m.

**B. Roll Call**

Present from the Planning Board were John Neale, Chair, members Tom Mercier, Sisan Smallman, Mike Carpenter, and Susan Mara. Members Helen Hardy and Julia Parmentier were excused. Also present were Ann-Marie Ignasher, Town Planner, Eric Colburn, James A. Egan, Michael Darveau, Peter J. Rotelli, Esq.; John Femino, Rick Femino, and Giselle Femino.

**C. Approval of Minutes**

Planning Board Meeting - July 20, 2011

Tom Mercier moved to approve the minutes of July 20, 2011; seconded by Mike Carpenter. Motion carried unanimously. 5 – 0.

**D. Correspondence and Review**

*Discussion*

RI Ethics Commission Info – noted – open government summit held August 5, 2011.  
Towns and Cities – Rhode Island Comprehensive Planning and Land Use Act - noted  
Tracking Sheet – September 2011 - noted

**E. Board Members' Reports**

*Discussion / Action*

Mike Carpenter reported that he has put in 28 hours on the housing section of the Comp Plan so far.  
Susan Mara reported that there is at least one person, may be two, who are interested in becoming a member of the Conservation Commission.  
John Neale – nothing new to report from the Land Trust.

**F. Planner's Report**

*Discussion / Action*

Planner's Report – June 2011 - noted  
Planner's Report – July 2011 - noted  
Meeting with Statewide Planning – Comprehensive Plan – Planner will discuss under new business.

**G. Zoning – Opinion Requested**

None

**H. Commercial Site Reviews**

None

**I. Administrative Subdivisions**

None

**J. Minor Subdivisions**

**26 Tucker Hollow Road** / Egan, James and Landon, Lucinda  
AP 15 Lot 26 Existing acreage – 9.362 +/-  
Proposed Number of Lots – 2  
Proposed Lot 1 – 4.592 acres +/-  
Proposed Lot 2 – 4.777 acres +/-

*Pre-application / Conceptual Review*

Ann-Marie updated the board with information on the application. The board had some questions which were answered by the surveyor, Eric Colburn. This is a large parcel of real estate that they want to divide into two separate and distinct parcels. The parties interested in purchasing the parcel are looking into converting the “studio” into a residence. Mr. Egan verified that the roof over the front half of the building gave way during the winter snow storms and that the façade of the building was actually moved back; however, the slab is still in good shape and contains heating elements (radiant heat) – and it is upon this slab the possible new owners wish to construct their residence. Mike wants to note that this parcel is going from unoccupied parcel to an occupied parcel – should note any relevant state requirements regarding an open range gun club, etc.; to protect both the gun range and any future owners of the proposed parcel of real estate. Also, comments were made about a more formal agreement for the easement that services the gun club and cuts across the proposed parcel – again looking to future landowners, emergency access, etc.

No further questions or observations were forthcoming.

**21A Plainfield Pike** / Femino, John

*Pre-application / Conceptual Review*

AP 9 Lot 33 – 121.67 acres +/-  
AP 19 Lot 31A – 14.2 acres +/-  
Proposed Number of Lots – 4  
Proposed Lot 1 – 17.3 acres +/-  
Proposed Lot 2 – 11.0 acres +/-  
Proposed Lot 3 – 10.0 acres +/-

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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Proposed Lot 4 – 98 acres +/- An Administrative Subdivision will also be done on this lot.

Ann-Marie briefed the board on this application; what was presented to the board showed the “end result” that the landowners wished to see. The landowners actually own two large abutting parcels, the landowners want to develop a residential compound on the larger of the two lots; then transfer by an administrative subdivision real estate from the proposed Lot “C” of the residential compound to their homestead lot which contains over 10 acres, and then that portion of the real estate that was transferred by the administrative subdivision would then be placed under a Conservation Easement to be held by the Providence Water Supply Board.

Tom Mercier stated that the applicant should first pursue the residential compound, and then do an administrative subdivision once the Providence Water Supply Board actually puts the conservation easement over the additional acreage. His concern was that the landowners would not get the conservation easement, and then would come back before the board for another residential compound on the new larger parcel. The uncertainty of the Conservation Easement (as it is only in the beginning stages) was a concern for board members.

Another concern was that fact of the Narragansett Electrical Easement going across the proposed residential compound – Tom was concerned that the landowner would not have the right under the current easement to develop an access easement (driveway) for proposed lots “B” and “C”. Tom requested, and Mike also requested, that a legal opinion be offered by the Town Solicitor as to landowners’ reserved rights under the Narragansett Electrical easement.

As far as the residential compound board members stated their concerns over the actual acreage for proposed lot “C”. They were concerned the lot was “too tight” to actually allow a construction of the house on the lot outside of the Narragansett Electrical easement.

Board member Susan Mara commented that she had no problem with the application and would be supportive.

Board member Sisan Smallman commented that she appreciated the fact that the landowners presented “the big picture” of everything the landowner wanted to do with the real estate, and that the landowners were very open with his plans. All board members stated they appreciated the landowners’ efforts to attempt to conserve a large portion of the land; however, some felt to try to do everything in one application made it confusing and that the subdivision of the property should be completed in steps.

The landowners, their attorney, their surveyor/engineer and the town planner will further discuss the concerns of the planning board some time next week, and revise their plans accordingly.

Board member Susan Mara was excused from the rest of the meeting; and the board took a five (5) minute break before continuing on with the rest of the meeting.

The meeting reconvened and continued on.

**K. Major Subdivisions**

None

**L. New Business**

Meeting with Statewide Planning

*Discussion / Action*

Foster Community Survey – Revisions

Ann-Marie updated the board about her meeting with a representative from Statewide Planning regarding the update / revision of the Town’s comprehensive plan. Statewide Planning is now requesting that the update / revision to the comprehensive plan be completed in accordance to the new public law (state statute) that was passed during the last legislative session. Statewide Planning also requested that the planning board send out a public survey as they had done during previous updates / revisions of the comprehensive plan. Finally, Ann-Marie stated that it was her intent to keep in contact with the statewide planning office on a monthly basis to keep them informed of our progress – as they are aware her hours have been cut back to 20 hours per week.

The remaining board members then went through the previous survey to try to determine what changes or new questions should be added. It was determined that Ann-Marie and her clerk should go through the survey and edit as they see fit, and then the planning board would either agree or disagree with those changes.

Mike Carpenter said he would create a survey to be sent out to our local business owners to get their perspective on how the comprehensive plan affects their business, etc.

The board members determined that the (residential) survey should be mailed out to persons on the tax roll.

**M. Old Business**

*Discussion / Action*

- Comprehensive Plan Update – questions/ issues

- By Laws

- Stone Wall Ordinance

- Conservation Development / Subdivision Regulations – questions issues

All of the agenda items under old business were continued to the September 7, 2011 meeting.

**N. Future Agenda Items**

None

**O. Adjournment**

The meeting adjourned at 9:12 pm.

Respectfully Submitted,

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Ann-Marie L. Ignasher, Town Planner, Acting Secretary

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