



**PLANNING BOARD MINUTES**  
**TOWN OF FOSTER**  
**Benjamin Eddy Building, 6 South Killingly Road, Foster, RI**  
**Wednesday: October 05, 2011**  
**7:00 p.m.**

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**A. Call to Order**

Meeting was called to order by John Neale, Chair at 7:01 p.m.

**B. Roll Call**

Present from the Planning Board were John Neale, Chair; Julia Parmentier, Vice Chair; Helen Hardy, Secretary; members Sisan Smallman, Mike Carpenter and Tom Mercier. Member Susan Mara was excused. Also present was Ann-Marie Ignasher, Town Planner; Eric Colburn and James Egan.

**C. Approval of Minutes**

Planning Board Meeting – September 21, 2011

Tom Mercier moved to approve the minutes of September 21, 2011, seconded by Mike Carpenter. Motion carried unanimously. 6 – 0.

**D. Correspondence and Review**

*Discussion*

Division of Planning – Legislation update - noted

**E. Board Members' Reports**

*Discussion / Action*

John Neale reported that the Land Trust was trying to plan an activity for October and there will not be enough lead time for planning. The Land Trust is looking for a liaison from the Conservation Commission.

**F. Planner's Report**

*Discussion / Action*

**G. Zoning – Opinion Requested**

None

**H. Commercial Site Reviews**

None

**I. Administrative Subdivisions**

None

**J. Minor Subdivisions**

Tom Mercier moved to put 17 Walker Road after Tucker Hollow Road

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 +/-

*Final Decision  
Report to Board*

The town planner was given permission to write up the final decision on this application. The board looked over the decision and the deed restriction was clearly stated.

Tom Mercier moved to accept the final decision as supplied by the planner for real estate located at 17 Walker Road, a/k/a plat 5 lot 34, a minor subdivision for two lots. Motion carried unanimously 6 – 0.

**26 Tucker Hollow Road** / Egan, James & Lucinda

AP 15 Lot 26 Existing acreage – 9.362 +/-

Proposed Number of Lots – 2

Proposed Lot 1 – 4.592 acres +/-

Proposed Lot 2 – 4.77 acres +/-

*Preliminary  
Discussion / Action*

Ann-Marie updated the board with info from the last meeting. Eric Colburn reported that they received a 6 foot water table approval from DEM. The attorneys for each party have consulted and will work out details for the ROW easement width for the gun club. Jim Egan asked for a waiver of the fee in lieu of which the board will need to discuss before the final.

There was some discussion regarding the location of the well and the set back is a concern.

Tom Mercier noted that there was no notation on the survey to endangered species.

Only the applicant James Egan and his surveyor Eric Colburn spoke in favor of the application.

No other parties were in attendance at the meeting.

**Planning Board Meeting October 5, 2011 pg. 2**

**The Board made the following Additional Conditions of Approval:**

- a) The applicant must receive (final) approval from RI DEM for the OWTS system proposed for parcel 1 – this must be received by the planning department prior to the applicant requesting final approval for the subdivision.
- b) An updated (current) tax certificate must be submitted with the final application.
- c) There will be a fee in lieu of land dedication in the amount of \$1,335.00 per parcel – said fee must be paid prior to the recording of the final plans and deeds.
- d) A more definitive description of the proposed easement must be provided to the planning department – note: the surveyor stated he had sent said description via email and the planner will verify this.
- e) Legal descriptions for each of the two proposed parcels must be provided to the planning department – note: the surveyor stated he had sent said descriptions via email and the planner will verify this.
- f) The board requests that the planner verify with the Foster Chief of Police that all legally required (proper) procedures for the access to the Cranston Fish and Game Association Shooting Range have been complied with.
- g) The surveyor is to add a note to the plan with regard to rare and endangered species, etc. – reference number 16 on the (application) check list for the plans.
- h) The applicant’s surveyor and the town planner are to verify if the proposed boundary between parcel 1 and parcel 2 must be moved to accommodate any type of set-back requirement for a well to a boundary line.
- i) The proposed parcel 2 (with the pre-existing historical home) shall not be further developed until the wetland boundaries, and set-backs there from are verified by a biologist prior to the issuance of building permits. NOTE: This statement must appear on the proposed final plans recorded in the land evidence records, and must appear on the legal description of the deed for said parcel.

**Motion to Approve:**

Tom Mercier made a motion to approve the preliminary application of James Egan and Lucinda Landon to subdivide the real estate located at 26 Tucker Hollow Road, Foster, RI also known as tax assessor’s plat 15 lot 0026, which is zoned agricultural / residential and consisting of approximately 9.362 acres +/-; into two separate and distinct parcels; proposed Parcel 1 to contain 4.592 acres +/- and proposed Parcel 2 to contain 4.770 acres +/- all as shown on that plan with the project title of “Minor Subdivision Plan, The Egan Plat, Assessor’s Plat 15 Lot 0026, 26 Tucker Hollow Road, Foster, Rhode Island” prepared for James Alan Egan & Lucinda Landon, dated 08/02/11 and revised 09/09/11, said plan was prepared by Foster Survey Company, Land Surveyors / Planner, 8 North Road, Foster, RI 02825, Eric D. Colburn, PLE.; motion includes all the additional conditions of approval listed immediately prior hereto and incorporated herein, and must be met before final approval.

Said Motion was seconded by board member Sisan Smallman.

There was no further discussion regarding said motion.

Members voting in favor: Tom Mercier, Mike Carpenter, Julia Parmentier, John Neale, Helen Hardy and Sisan Smallman.

Members voting against: None

Member absent: Board member Susan Mara was excused.

Motion Passes: 6 to 0.

**K. Major Subdivisions**

None

**L. New Business**

**M. Old Business**

*Discussion / Action*

- Comprehensive Plan Update – questions/ issues

- By Laws

- Stone Wall Ordinance

- Conservation Development / Subdivision Regulations – questions issues

All the above was tabled at the September 21<sup>st</sup> meeting to take place on the meeting of October 19, 2011.

**N. Future Agenda Items**

**O. Adjournment**

Tom Mercier moved to adjourn at 8:30 p.m. motion carried unanimously

Respectfully submitted,

Helen Hardy, Secretary