



**PLANNING BOARD MINUTES**  
**TOWN OF FOSTER**  
**Benjamin Eddy Building, 6 South Killingly Road, Foster, RI**  
**Wednesday: May 16, 2012**  
**7:00 p.m.**

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**A. Call to Order**

Meeting was called to order by Tom Mercier, Chair at 7:01 p.m.

**B. Roll Call**

Present from the Planning Board were Tom Mercier, Chair; Julia Parmentier, Vice Chair; Helen Hardy, secretary; members Sisan Smallman, Sue Mara, Mike Carpenter and Ron Cervasio. Also present were Ann-Marie Ignasher, Town Planner, Norbert Therien, Dean Robinson, Esq. Gordon Rogers, Audrey and Joe Carey.

Sue Mara moved to put item J Minor Subdivision to be next on the agenda, seconded by Ron Cervasio, motion carried unanimously 7 – 0.

**J. Minor Subdivisions**

**Winsor Road/Turnkey Expo**

AP 17 Lot 40

Existing acreage 31.0757 acres +/-

Proposed number of lots – two (2)

Proposed Lot A – 5 acres +/-

Proposed Lot B – 26 acres +/-

*Preapplication/Conceptual Review 09/02/09*

*Preapplication/Conceptual Review cont'd 04/21/10*

*Preliminary Review 08/18/10 + April 04, 2012*

*Preliminary Review cont'd  
Discussion/Decision*

Attorney Dean Robinson and Norbert Therien presented this application. Revised plans were presented to the board which address the concerns from the meeting of April 4, 2012 regarding the easement to the cemetery from the highway. The new plans also show the existing cemeteries and foundations that were not shown on the previous plans. Norbert also discussed that the septic system approvals are in place for both lots.

Mike Carpenter asked about driveway sight distances. Norbert explained that they took sight line distances into consideration for both lots.

Julia Parmentier asked about the 100' critical resource setback. Norbert explained that DEM wants the property adjacent to wetlands to be a grassy swale to mitigate water flow into the wetland. On a single family residential lot DEM wants an additional 100 feet off the wetlands. It is not a buffer and can be built in.

Ron Cervasio asked the board why we asked for the delineation of the historic foundations. Ann-Marie explained that it keeps the record of the historic features. Ron also asked about the cart path. Norbert explained that this is not an easement and does not need to be listed as such.

At the end of the presentation the board went through the necessary findings of fact.

**Additional conditions of approval:**

- a) Bottomless Sand Filter – OWTS – if either of the OWTS systems are bottomless sand filters the planning board requires the following be met 1) that an emergency back-up generator be installed with each installation of a bottomless sand filter OWTS, as it is not unusual for the residents of the Foster Community to lose electricity during severe winter storms, and at other severe storms. The emergency back-up generator will actually be a cost savings device, as a generator will keep the OWTS working, and hopefully, stop the OWTS system from failing during a power outage – thereby potentially saving a resident tens of thousands of dollars to replace a OWTS system.
- b) Bottomless Sand Filter – OWTS – if such a system is installed on either proposed parcel, state statute requires that the landowner maintain a service contract on such a system, and that a copy of that contract be put on file with the Building/Zoning Officials office for the Town of Foster, as well as being recorded in the land evidence records.  
Both paragraphs a) and b) should appear on the final plans and on the legal descriptions of the individual deeds.
- c) Driveway entrance to have sufficient radius for turn-in.
- d) Real Estate Taxes – Municipal Lien Certificate – Prior to applying for the final approval on this proposal, the applicant must prove to the planning board that all real estate taxes on the property are paid to date. To do this the applicant must apply for a municipal lien certificate (at the cost of \$25.00) from the Tax Collector and have the MLC forwarded to the planning department.
- e) Legal Descriptions – The applicant must forward the following legal descriptions to the town planner / administrative officer for review and approval prior to applying to this board for final approval – legal description for proposed sub-lot A, for proposed lot B, and for the access easement across the existing cart path to back real estate of proposed lot B.
- f) Fee in lieu – A fee in lieu of land dedication in the amount of \$2,670.00 (\$1,335 x 2 lots) must be paid at the time of the recording of the final plans, and deeds for the properties. No final recordings shall be done without the fee being paid in full at that time.

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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Sisan Smallman moved to approve the preliminary application of Turnkey Expo to subdivide the real estate located at Pole 53 Winsor Road, Foster, RI 02825 a/k/a Tax Assessor's Plat 17 Lot 0040 into two separate and distinct parcels as shown in the following plan entitled "Proposed Minor Subdivision, Turnkey Expo Inc., 318 Chalkstone Avenue, Providence Rhode Island, owners of AP 17 Lot 40 Winsor Road, Foster, Rhode Island. Prepared by Norbert Therien Professional Land Surveyor of National Surveyors-Developers 42 Hamlet Ave., Woonsocket, RI Telephone (401) 769-7779, dated June 2010, as amended on 1/13/11, 8/30/11, 11/28/11, 4/16/12 and 4/19/12" **Said motion includes the additional conditions of approval listed above.**

Seconded by Julia Parmentier

There was no further discussion.

Members voting to APPROVE: Tom Mercier, Julia Parmentier, Mike Carpenter, Susan Mara, Sisan Smallman, Ron Cervasio and Helen Hardy.

Members voting to DENY: 0

Members RECUSED: 0

Motion is approved 7 to 0.

Ron Cervasio moved to allow the applicant to file administratively; seconded by Sisan Smallman, motion carried unanimously 7 – 0.

Susan Mara moved to have item I Administrative Subdivision to be next on the agenda; seconded by Ron Cervasio, motion carried unanimously 7 – 0.

**I. Administrative Subdivisions**

**Shippee Schoolhouse Road / Rounds, Stephen**  
AP 13 Lot 62 Existing acreage 8.4 +/-  
**Went before Planning on February 15, 2012**

*Discussion/Opinion*

Ann-Marie reported that due to an objection from an abutter who couldn't be present the applicant requested to continue the application to the June 20, 2012 meeting.

Ron Cervasio moved to continue this application to June 20, 2012; seconded by Julia Parmentier, motion carried unanimously 7 – 0.

**C. Approval of Minutes**

Planning Workshop – April 28, 2012

Ron Cervasio moved to approve the minutes of April 28, 2012; seconded by Julia Parmentier, motion carried unanimously 7 – 0.

Planning Board Meeting – May 02, 2012

Ron Cervasio moved to approve the minutes of May 02, 2012; seconded by Mike Carpenter, motion carried 7 – 0.

Planning workshop – May 09, 2012

Ron Cervasio moved to approve the minutes of May 09, 2012; seconded by Julia Parmentier, motion carried 7 – 0.

**D. Correspondence and Review**

*Discussion / Action*

Tracking Sheet – May 2012 - noted

**E. Board Members' Reports**

*Discussion / Action*

Susan Mara reported that the Conservation Commission Bird House event was held and went well.

Mike Carpenter reported that the Housing Board did not meet.

Sisan Smallman reported that the Land Trust did not meet due to a conflict with the Financial Town Meeting.

**F. Planner's Report**

*Discussion / Action*

Monthly Report – March 2012

Monthly Report – April 2012

Sisan Smallman moved to place the Planner's report on file, seconded by Helen Hardy, motion carried unanimously 7 – 0.

**G. Zoning – Opinion Requested**

*Discussion / Action*

None

**H. Commercial Site Reviews**

None

**K. Major Subdivisions**

None

**L. Old Business**

*Discussion / Action*

**M. New Business**

*Discussion / Action*

**N. Future Agenda Items**

Future – Update/revise to comply with Comp Plan

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- Subdivision Regulations

- Zoning Ordinance

- 5 year road plan

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- Conservation Development

- Meet with other boards

**O. Adjournment**

Julia Parmentier moved to adjourn at 7:45 p.m.

Respectfully submitted,

Helen Hardy, Secretary