



**PLANNING BOARD MINUTES  
TOWN OF FOSTER**

**Benjamin Eddy Building, 6 South Killingly Road, Foster, RI  
Wednesday: September 05, 2012  
7:00 p.m.**

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**A. Call to Order**

Meeting was called to order by Tom Mercier, Chair at 7:00 p.m.

**B. Roll Call**

Present from the Planning Board were Tom Mercier, Chair; Julia Parmentier, Vice Chair; Helen Hardy, Secretary; members Susan Mara and Sisan Smallman. Member Mike Carpenter was excused and Ron Cervasio was absent. Also present were Ann-Marie Ignasher, Town Planner, Susan Dillon, Taylor Dillon, Greg Miech, Donald Milner, Joe Carey, Audrey Carey, Gordon Rogers and Mike Dillon.

**C. Approval of Minutes**

Planning Meeting – August 15, 2012

Julia Parmentier moved to approve the minutes of August 15, 2012; seconded by Sisan Smallman, motion carried unanimously 5 – 0.

**D. Correspondence and Review**

Tracking Sheet – September - noted

**E. Board Members' Reports**

Sue Mara reported that the Conservation Commission requests that if they are needed to review sites to alert them ASAP so this gives them ample time to get to a site.

Sisan Smallman reported that the Land Trust vision for the Land Use Section in the Comprehensive Plan, the number of trails to be created on any of the properties would be 25 miles. However, volunteers and money is needed; this will be looked at for the Comp Plan.

**F. Planner's Report**

**G. Zoning – Opinion Requested**

95 Mt Hygeia Road / **Michael & Susan Dillon**

AP 16 Lot 0025K

Relief from Zoning for Eligibility for Residential Compound

Ann-Marie Ignasher reviewed the history of this parcel. The Dillons are asking for relief from Residential Compound zoning regs which prohibits development of a previously subdivided lot following the acceptance of the residential compound zoning regs.

Discussion:

Susan Mara asked about the intention of the Zoning Ordinance subdivision regulations prohibiting further subdivision.

Susan Mara points out that the original lot could not have been more than one (1) residential compound.

Tom Mercier brought up the issue of using an easement as a right of way for a residential compound.

Sisan Smallman asked about the property frontage and has it previously been approved to have the access across an easement. Tom Mercier explains that the current residents will continue to use the access in the future and other non-family may own those lots. A maintenance agreement would be necessary with the owner of the easement. Susan Dillon said that there is currently no agreement.

Helen Hardy noted that the board has never granted an approval for a residential compound that did not have access through its own frontage.

Susan Mara made a motion that the Planning Board's recommendation to the Zoning Board is the approval of the variance of Subsection B of the Zoning Ordinance because of the size of the parcel before and after the original subdivision that occurred after the ordinance was enacted. The Planning Board would also like it noted that they have a concern with the easement to the property.

Seconded by Sisan Smallman.

Susan Mara amended the motion to add that the Dillon's did not create this condition; the easement was there when they purchased the property.

Seconded by Sisan Smallman, amendment approved 5 – 0

Main motion approved 5 – 0.

5 min recess at 7:55 p.m.

Meeting reconvened at 8:00 p.m.

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195 Danielson Pike / **John Naylor**  
AP 10 Lot 0088  
Special Use Permit for Automotive Repair

Ann-Marie Ignasher gave the history on this property.  
Susan Mara asked if there are specific criteria for this kind of use. Ann-Marie Ignasher explained that is on a case by case basis, and the Zoning Board may require special conditions as are deemed.

There was some discussion regarding space, drainage and state regulations.

Julia Parmentier moved to recommend that the Zoning Board of Review approve the Special Use Permit for Automotive Repair on Plat 10 Lot 88 with the requirement that the business follow all state and local regulations governing auto repair facilities including but not limited to storage and disposal of hazardous materials and that all licensing required by state and local for this kind of business.  
Seconded by Susan Mara; motion carried unanimously 5 – 0.

**H. Commercial Site Reviews**

None

**I. Administrative Subdivisions**

None

**J. Minor Subdivisions**

None

**K. Major Subdivisions**

None

**L. Old Business**

*Discussion / Action*

Letter to Town Council regarding the RI Senate Legislative Bill Letter to Town Council -  
Sisan Smallman moved to table this until October 03, 2012; seconded by Susan Mara. Motion carried unanimously 5 – 0.

Comp Plan Elements to be reviewed -

**- Open Space / Recreation**

The board read through Open Space / Recreation section of the Comprehensive Plan.

Susan Mara moved to approve this section as section as revised, seconded by Julia Parmentier. Motion carried unanimously 5 – 0.

**- Historical and Cultural Resources**

Julia Parmentier moved to table this section until the October 03, 2012 meeting; seconded by Susan Mara. Motion carried unanimously 5 – 0.

Final – voted on and approved –

- Land Use
- Circulation / Transportation
- Affordable Housing Matrix
- Natural Resources
- Natural Hazards
- Community Services and Facilities
- Economic Development

**M. New Business**

*Discussion / Action*

**N. Future Agenda Items**

Future – Update/revise to comply with Comp Plan

- Subdivision Regulations
- Zoning Ordinance
- 5 year road plan

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- Conservation Development
- Meet with other boards

**O. Adjournment**

Sisan Smallman moved to adjourn at 8:46 p.m.

Respectfully submitted,

Helen Hardy, Secretary