



PLANNING BOARD MINUTES
TOWN OF FOSTER
Benjamin Eddy Building
6 South Killingly Road, Foster, RI
Wednesday: November 6, 2013
7:00 p.m.

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- A. Call to Order:** The meeting was called to order at 7:02 p.m.
- B. Roll Call:** Present: Tom Mercier, Julia Parmentier, Mike Carpenter, Joe Carey, John Bevilacqua, Helen Hardy, Ann Marie Ignasher, Planner. Also present were Linda Miller, James Hackett, Town Council Member Denise DiFranco, John C. Neale, Debby Brown, Steve Brown, Cheryl Wright, and Town Council President John Lewis.
Chair Tom Mercier welcomed new member John Bevilacqua to the planning board.
- C. Approval of Minutes:** Minutes of 10/16/13, Julia moved, Mike C. seconded to approve.
All in favor: 5; Opposed: 0; new member John Bevilacqua abstained.
- D. Correspondence and Review:** Noted.
- E. Board Members' Reports:** Land Trust meeting – regular business; discussion of acquisition of property. No Affordable Housing Board meeting – so nothing to report.
- F. Planner's Report for September 2013:** Julia moved, Mike seconded to approve and place on file. Those in favor 6, those opposed 0, motion was unanimous.
- G. Zoning – Opinion Requested:** Applicant – Linda Miller; Property – 13 Walker Road, Foster, RI; Plat 5 Lot 22, Request for a special use permit. The purpose of the special use permit is to allow Mrs. Miller to allow her farmland to be used as a venue for intermittent functions, more specifically weddings.

The applicant, Linda Miller presented her application. She told the board that she wants to hold a limited number of weddings, on her farm. An acquaintance of her neighbor had her wedding on Ms. Miller's real estate, and Ms. Miller thought she would like to rent her property out to other people to hold their weddings there. Ms. Miller has been in contact with a caterer, and the caterer will handle all of the details, unfortunately, he could not attend tonight's meeting. She showed the board some pictures of her property. Tom asked how many acres she owns and the response was approximately 200 acres, and she has trails all throughout the property. She explained that each wedding would last 5 hours and that she thought 10 weddings within a five (six) month period would be appropriate; from April through October. She wants people to come and go; no-one stays on her property. Tom Mercier asked if she was going to limit the size; Ms. Miller gave the indication that no more than 160 people per wedding. Ms. Miller also indicated that her farm would only attract people (brides) that want a "nature based" wedding venue; there wouldn't be a high demand.

Helen Hardy asked about bathroom facilities, Ms. Miller explained the caterer would be bringing in such facilities, and "they are the kind you would like to have in your house."

Tom Mercier confirmed that the caterer will be in charge of everything, and bringing everything to the site and that Ms. Miller does nothing but provide the land. Julia Parmentier asked about how many cars she could accommodate – Ms. Miller stated about 75 cars. Ms. Miller stated that her attorney is sending someone out to the property to do a professional map of the area – the diagram she had with her is a rough sketch for the planning board.

Tom Mercier then asked the board members for their opinion. Helen Hardy thought there were a couple of things that need to be considered; for example the music hours; hours of the parties, the number of people that can be accommodated safely.

John Bevilacqua thinks the use fits more under Art IV, Section 4, Subsection 9 (General purpose hall for recreation, social or other intermittent functions) than it does under Art IV, Section 3, Subsection 6 (Open Rec Events & Amusements – License required by Town Council). However, he was concerned because the "tent" is not a permanent hall. Wants to know where the food is being cooked.

The Planner found the definition of Recreational Events and Amusements in the zoning ordinance on page 9 and showed it to the board members. John Bevilacqua said this will be a "private" recreation event as it is by invitational only.

Mike Carpenter said licenses would be good to allow for notification to the emergency and support services of the town, such as the police, fire and safety services (ambulance). Would be good to know how the caterer operates. This will be a private residence that is accommodating an event being run by a caterer.

Helen Hardy that in terms we are also addressing whether or not this conforms to the comprehensive plan, and whether or not the type of business it is, the type of commercial enterprise it is – is it the type that we would like to have, or be able to have in an A/R zone. It seems to her that this type of thing (activity) is the perfect thing that we would want in an A/R zone because it takes advantage of beauty and the rural quality of the setting and that the land can accommodate it. Once the concerns, the board or boards, may have are delineated, then she can move forward to make sure they are taken care of.

Julia Parmentier stated that her only concern was the traffic in and out of the premises; especially out. Wonders if that could be an issue with the neighbors? But the neighbors will have their chance to voice their opinion at the zoning hearing.

Julia Parmentier stated she thought it meets the comprehensive plan to provide businesses that capitalize on our rural and scenic character. Tom Mercier stated that provided all the licenses requirements are met he does not see any problem with this. Joe Carey asked if it was being limited to weddings – Ms. Miller absolutely just weddings.

Board Discussion – Julia; we are just issuing a recommendation if this meets the comprehensive plan and if this is something we want to see in Foster. Mike Carpenter commented that maybe a license may be required for each event and that would be the control factor, no idea of how many events are taking events. So the board feels that Art IV, Section 3, Subsection 6 does indeed apply to this application.

John B. asks what section of comprehensive plan this would fall under. Julia and Helen found Economic Development Sections 5.2.4 (Approach) on page 30 of comp plan and on page 31 in the fourth paragraph on page 31.

Julia then makes a reference to Vasa Park, and they are in the A/R zone. Julia states that Ms. Miller is not doing anything different than Vasa Park. Helen Hardy said they are very parallel.

Tom Mercier asks board members if they think it fits with the comprehensive plan; and then he asks for a motion.

John Bevilacqua moves that the opinion of the (planning) board as to whether or not the application by Mrs. Miller, as to the property located at 13 Walker Road, plat 5 lot 22, does meet the classification and fit in conformance with the comprehensive plan in that it is the type of economic growth that the town feels would be appropriate, and although it is non-traditional it is one of the town’s natural resources that will encourage the type of land use that Mrs. Miller possesses for the type of activity she states, such as weddings, to be held on her property which is approximately 175 acres. Also indicate, under conditions that a schematic be submitted, outlining the exact areas to be involved, parking, and other areas be identified. Julia Parmentier seconded the motion.

Julia wants to clarify that the board is using the following sections of the comprehensive plan; Economic Development 5.2.4, and Historic and Scenic Resources 5.7.7. (page 113). Tom Mercier called for a vote – those in favor 6, those opposed 0 - Motion passes unanimously.

H. Commercial Site Reviews
None

I. Administrative Subdivisions
None

J. Minor Subdivisions
None

K. Major Subdivisions: Update on status of application – Simmons Crossing – Route 6 & Route 94
Mr. and Mrs. Valentine explain to the board that they have hired a new architect, Union Studios, and they wanted to go over the new conceptual plans with the board. The Valentines explain that both the well and the septic system have the approval of the RI Dept. of Health, and RI DEM respectively. They explained that the Library is also working with Union Studios, and the size of the Library is tentatively 8,000 square feet, and that the size is being determined by demographics.

The Valentines discussed the various planned buildings, the type of proposed businesses and the synergy between the businesses. They are aiming for the site to be active all the time, early morning to late evening – depending on the vendor.

Said after this review with planning board, they feel they cannot go any further unless they know that they feel secure in getting Town’s buy in. They don’t know how much further they should move the project along. For example: a vendor for the grocery store will need somewhere between 10,000 to 12,000 square feet to even consider the site. (Tom, they have to have the stock to sell.) The Valentines are in negotiations with certain vendors, but they can’t go any farther.

The Valentines want to know what their procedure will be to in order to actually move toward the construction of the site. They are aware that at present the zoning ordinance does not allow for the amount of development, building coverage or parking that the design shows.

Julia said she thought the community had the opportunity to do it here as this is a planned nodule development and the whole idea about putting in general business mixed use was to put in specific nodes of development. This gives us the opportunity to put in writing exactly what we want for planned nodule development; more specifically it gives us the opportunity to say that if we want to concentrate buildings in a specific way in an area to promote walkability, and to reduce the strip (mall) aspect.

The Valentines asked for a time frame in which the planning board would be looking at GBM zoning; and the board could not come up with an approximate time frame.

Tom Mercier stated that the board was behind the concept / plan. The Valentines stated that they would be back next month.

L. New Business

1) John Lewis – re: Comprehensive Plan – asked what the Planning Board needs to move the Comprehensive Plan along. Tom said we need clerical help and have been significantly impeded by the loss of the Planning Board clerk.

Steve Brown – Central Pike – Also owns property in Vermont and their town offices run with 2 people and they are able to handle their entire business just fine.

2) Receive/Review/Discuss: Proposed Zoning Ordinance Change

a) Article IV, Section 7, Business re: Add of new line item #21 re: firearm shops, etc.

There has been a change in federal regulations what requires licensing by the Town, to enable the federal government to identify where firearms are transferred.

John Bevilacqua believes that some of the terms used in the proposal need to be defined and clarified. Julia believes that these types of uses should be in a commercial area and not A/R, due to safety issues. Tom Mercier and John Bevilacqua also had safety concerns; and that these uses do not belong in an A/R zone. Helen stated that this type of business is not consistent with an A/R zone.

Helen moved, Julia seconded, to add new line Item #21: Firearms Shops, Ammunition Shops, Archery Shops, Edged Weapons and cutlery shops and similar specialty shops, with the following District compliance: AR – prohibited; NC – permitted; GBM – permitted; MI – special use permit; R-SC – prohibited; M – prohibited.

John Bevilacqua moves to remove “cutlery shops and similar specialty shops”; Julia seconded. Amendment carries 6-0. Main motion carries, 5-1. Voting to approve: Tom Mercier, Julia Parmentier, Mike Carpenter, John Bevilacqua, Helen Hardy. Voting against: Joe Carey

b) Article VI, Section 2, Corner Lots – re: Clarify which street lot line shall be considered frontage

There was some discussion regarding the proposed changes – some board members did not understand why the change was being requested. Julia moved to recommend to the Town Council that no change be made to the existing ordinance at this time as the variance procedure is accurate to deal with these types of situations. John B. seconded.

Motion carried 6 to 0.

M. Continued Business

O. Comprehensive Plan – Ongoing Work

John moved; Joe seconded to postpone M. and O. until 11/20/13. Motion carried 6-0.

Julia wants to add GBM.

December meeting 12/4: add changing date of the first January meeting.

N. Future Agenda Items

For January, 2014

- 1) Update and revise Subdivision Regulations [including Conservation Development]
- 2) Update and revise Zoning Ordinance(s) [including sign regulation, etc.]
- 3) Meeting with various boards and departments
- 4) Discussion of RI General Assembly Bills – letter to Town Council if necessary

O. Adjournment: Mike moved to adjourn at 9:23 p.m. Motion carried 6-0.

Respectfully submitted,

Helen Hardy, Secretary