



# Town of Foster

Est. 1781

Ann-Marie L. Ignasher, Town Planner

April 24, 2012

TO: Foster Town Council Members

RE: CLM Realty, LLC, Danielson Pike, Plat 10 Lot 43

Re-Zoning request: from Agricultural / Residential to General Business Mixed Use

Dear Council Members:

CLM Realty, LLC, owner of the above referenced lot on Danielson Pike, is requesting that the Town Council rezone the parcel from its current designation as Agricultural / Residential (AR) to General Business Mixed Use (GBM). As part of the process, the application was reviewed by the Planning Board during its March 21, 2012 meeting, and the Board in turn offers the following opinion to the Town Council for its consideration.

If the Town Council chooses to approve this application the planning board feels the following items should be taken into consideration, and should become part of the final decision:

- 1) That the plan presented to both the Planning Board and Town Council, is a conceptual overall plan showing the maximum allowed build-out of the parcel, consisting of 10,000 square feet of the maximum building coverage as allowed under GBM zoning; and
- 2) That under no circumstances should the 10,000 square foot building coverage be exceeded – that no further development beyond 10,000 square feet would be allowed; and
- 3) That the residence, if built as shown, shall be maintained as an integral part of the parcel – note: general business mixed use does allow retail businesses, offices, etc. and “compatible residential and municipal uses”; and
- 4) The applicant is made aware that if approval is received for this zoning change, the applicant will still need to make the proper applications and receive the proper approvals from all municipal and state agencies. That the approval of the zoning change does not, and cannot guarantee the actual development of the parcel as presented – as the applicant must still meet all necessary municipal (zoning/planning) and state (DEM / DOT) requirements; and

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5) The planning board, recognizing the plans as conceptual, would appreciate the applicant discuss with the planning board (during the commercial site review process) the landscape and parking designs of the parcel; and

6) The planning board determined during its discussion that though the parcel which is the subject of this application does not fit into one of the approved nodes along Route 6 it was located within an area that could be a “possible future node” – and that there were other commercial entities nearby along Route 6; and

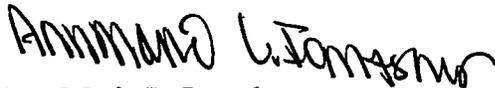
7) The proposed amendment, as shown on the conceptual plan presented does appear to meet the zoning requirements of the general business mixed use zone; and

8) The proposed amendment, as shown on the conceptual plan presented does appear to meet / satisfy the Foster Comprehensive Plan.

Further, the planning board reminds the Town Council that they have the authority to impose the following limitations as per the Foster Zoning Ordinance, (Article X, Section 6, and Subsection H – page 69):

- “1. Require the petitioner to obtain a permit or approval from any and all federal, state or local government agencies having jurisdiction over the land and use which are subject to the zoning change;
2. Relating to the effectiveness or continued effectiveness of the zoning change; and/or
3. Relating to the use of the land as it deems necessary.”

Very truly yours,



Ann-Marie L. Ignasher  
Town Planner

cc: Planning Board Members

CLM Realty, LLC  
993 Smith Street  
Providence, RI 02908

January 31, 2012

Foster Town Council  
C/o Foster Town Clerk  
181 Howard Hill Road  
Foster, RI 02825

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Dear Foster Town Council:

CLM Realty, LLC is requesting that the zoning for the parcel of real estate located on Danielson Pike and known as tax assessor's plat 10, lot 43 be re-zoned to general business mixed use.

This particular parcel was originally designated as highway commercial /agricultural and was re-zoned, according to the new zoning map approved September, 2011, to agricultural residential as the land was vacant.

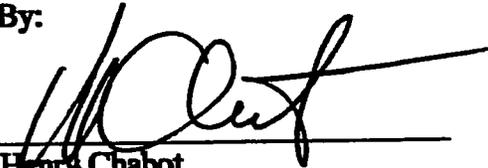
Since August of 2011, CLM Realty has been working with Scituate Surveys, the planning and the building / zoning departments to create a conceptual site plan on how the real estate could be used if it is re-zoned to general business mixed use. The planning and building / zoning departments helped explain what requirements would need to be met under the subdivision regulations and zoning ordinance.

The conceptual plans submitted with this request include the construction of a commercial enterprise and a single family residence in eastern portion of the parcel; with a smaller unit on the western portion of the parcel. CLM Realty is aware that the actual approval and construction of these buildings would be subject to receiving all appropriate town and state approvals.

Thank you,

CLM Realty, Inc.

By:

  
Henry Chabot

  
Pamela Chabot