



**ZONING BOARD OF REVIEW
MINUTES OF THE MARCH 12, 2008 MEETING
TOWN OF FOSTER**

A. Call to Order

The March 12, 2008 meeting of the Foster Zoning Board of Review came to order at 7:00pm in the Benjamin Eddy Building.

B. Roll Call

Present were Carl Saccoccio, Chairman; William (Bill) Gibb, Vice-Chairman; Heidi Colwell, Scott Pollard, Paula Mottshaw, Secretary; Robert Fallon, Building/Zoning Official; Carole Malaga, Stenographer.

Absent were Joseph Walsh, Alternate; John J. Bevilacqua, Esq., Town Solicitor

C. Approval of Minutes

None

D. Correspondence and Review

None.

E. Hearings

Preliminary Review

08-01

David & Daniel Tortorella. The applicants are requesting a special use permit to operate a farm gift shop. At present, the Amber Valley Ridge Alpaca Farm breeds, raises and shears its Alpaca livestock and sends the wool to a cooperative to spin and create the finished products to sell. The farm is working towards spinning its own wool and creating its own products within the next 18 months.

Testimony from David Tortorella. He states that the purpose of the "Farm Days" is to expose products made from the Alpaca wool. The farm store will complement the business and spinners will come in during the "Farm Days" to spin the fiber.

Testimony from Daniel Tortorella. The farm is working with the Division of Agriculture (RI) Farm Ways, helping to promote the Alpaca farm as a destination farm (promoting agriculture/tourism). To accomplish the goal, the farm needs to be more than the animals themselves; the farm should display products as an educational resource to promote farming. The proceeds will ensure the sustainability of the farm.

Testimony from Carol Niedierer (abutter). She has concerns about increased traffic. The area has traffic from other businesses and the road is small.

Testimony from Carolyn F. Briggs. She isn't opposed to the application, but she has questions, including the number of animals, location of the barn and parking.

The Board indicated that those questions would be addressed during the hearing (tonight's meeting).

Testimony from Paula Knowles. She has questions and concerns about the parking and where the barn will be located. Will the property be able to handle all of the cars?

Testimony from George Neary. His concern is related to the (increased) traffic because there are children in the neighborhood.

Additional testimony from David Tortorella (applicant). Regarding the traffic, the farm had about 200 people over the 2-day period which were designated as "Farm Days." His property provided adequate parking. He is interested in doing 4 "Farm Days" over the next year. The farm will house a maximum of 25 animals (Alpacas). The barn (26 feet x 44 feet) will be placed next to the house. Presently, the farm can house 16 Alpacas. The building in which the farm store is located provides the public with three exits. The farm has been in operation for five years and has three shelters to house the Alpacas.

An open "Farm Day" is a 2-day event to promote the farm and is advertised locally. The farm store Sells products made from the Alpaca fiber (approximately 90% of sales) as well as miscellaneous items such as mugs (approximately 10% of sales). The basement of the house, which is the temporary location of the farm store, is 24 feet x 20 feet; the store will be within 50% of the basement of the house.

Additional testimony from Daniel Tortorella. The farm has no plans to hire employees. The farm purpose is to educate the public about Alpacas and sell the products they produce. The farm does have a sign on the premises (farm has a permit for the sign).

08-01 (con't)

Testimony from Robert Fallon, Zoning Official. Mr. Fallon did a site visit and viewed the basement and observed a display of mugs on shelving. The site does have sufficient parking and there have been no complaints filed about the farm within the past five and one half years. The animal shelters are all within the property lines.

Given no further questions or concerns from the Board or public, the chairman closed the hearing.

F. Discussion

The Fire Chief of the district should do a site visit to the gift shop and the applicants may need to secure a Sunday Sales License to have the ability to sell products on Sundays.

Carl Saccoccio stated that the applicant is allowed to have animals and sell the animal by-products without a special use permit. The fact that the applicant wants to sell other items (i.e. mugs) is the reason why a special use permit is needed. The applicant can use their property to sell the products; the space to do so is limited to 200 square feet of the basement of the house. The special use permit would not transfer to the barn (new store site). The applicants would need to acquire a new special use permit.

William Gibb made a motion to approve application #08-01 for a special use permit by David and Daniel Tortorella of 122 Johnson Road, Plat 7 Lot 57 under Article IV, Section 7, #2 for operation of a small specialty shop in A/R zone. Approval is based on the evidence as presented provided the farm conforms to the town's ordinances and will not alter the general characteristics of the land, and that it is in conformance with the town's comprehensive plan. This approval is limited to a 200 square foot partitioned section of the basement of the house for a maximum number of 20 days per calendar year. Any signage should conform to existing ordinances.

G. Conditions

The special use permit would not transfer to the barn (new store site). The applicants would need to acquire a new special use permit.

Motion was seconded by Scott Pollard.

H. Decision

Voted 5/affirmative and 0/negative. The motion carries:

Carl Saccoccio - approve
William Gibb - approve
Heidi Colwell - approve
Scott Pollard - approve
Paula Mottshaw - approve

I. Adjournment

William Gibb moved to adjourn, seconded by Heidi Colwell, the March 12, 2008 Foster Zoning Board of Review meeting at 8:00pm.

Respectfully submitted by: /s/Paula Mottshaw

Paula Mottshaw, Secretary

Original signed copy in Book Foster Zoning Board of Review on Page 288 - 289