

PLANNING BOARD MINUTES
Benjamin Eddy Building, 6 South Killingly Road
Wednesday: May 1, 2019

A. Call to Order

Ron Cervasio called the meeting to order at 7:00 p.m.

B. Roll Call

Planning Board Members: Ron Cervasio, Chair; Joe Carey, Vice Chair, Helen Hardy, Secretary, Mike Carpenter, Jeff Sheldon, Lisa Johnston, Anthony Renzi

Staff: Jennifer Siciliano, Planner; Joanna Achille, Solicitor

Town Officials present: Town Council members Denise L. DiFranco, President; Chris Stone

Members of the public: Sandy Sheldon

Item I. moved to first position by Chair

Item F. added to Item C. by Chair

I. Advisory Opinion – Recreational Marijuana

Chief Breit discussed the experience of Leicester, MA (10,000 pop.) in which a pot shop was opened. It has a similar government with a 20-person police station. The town experienced traffic jams, crimes of opportunity, and increased demands on the police.

Discussion: Anthony Renzi stated that after the initial excitement, the novelty would wear off.

Chief Breit stated that people don't want to pay the taxes so they go back to other sources.

Lisa Johnston agreed there would be a short-term spike in but in the long run can be a benefit.

Mike Carpenter discussed how impairment is determined on the enforcement side. Chief Breit said it will be a problem. Joe Carey stated that even a blood draw will still show after 30 days but you can't tell when it was used. Chief Breit agreed that even a field sobriety test is problematic.

Ron Cervasio stated that the town needs revenue. Jeff Sheldon noted that police training would be needed regardless of whether the town approves or not.

Mike Carpenter moved, Lisa Carpenter seconded, to advise the council to approve retail marijuana shops in Foster as a proactive measure to be properly prepared for training for first responders to protect the health, safety, and welfare of our citizens.

Discussion: Joe Carey, Joanna Achille, Ron Cervasio

Motion carried 5 – 1 – 1. Helen voted no and Ron abstained.

Item D. Correspondence skipped by Chair

Item K. moved to this position

K. Farm Forest Accessory Use

Ron Cervasio asked Helen to review this section.

E. 5-Year Road Plan

Tabled until next meeting by Mr. Cervasio.

Item F. Planning Board Minutes Details and Content C. Minutes moved to this position

F. Minutes

Mr. Cervasio stated that the only things we need on the minutes are the motions, the second, and a poll on every vote. He stated that when there is a stenographer present, does he have the right to tell Helen not to take notes?

Discussion: Joanna Achille said we do not always order the transcript and if we do, we cannot post it. Joe Carey said it would be difficult to research the minutes if that was the only thing recorded. Helen Hardy stated she has been secretary to the board for quite a while. Her purpose is to get the legalities down. Her intent is to try to get the points down that she feels to be important to the issues. Anthony Renzi stated that this had nothing to do with Ms. Hardy's work.

Mr. Cervasio polled the board if they are satisfied with the way the minutes are done?

Anthony Renzi – yes

Jeff Sheldon – yes

Lisa Johnston – yes

Joe Carey – yes

Mike Carpenter – yes

Ron Cervasio – yes

C. Approval of Minutes

a. March 20, 2019

Joe Carey moved, Mike Carpenter seconded, to approve the minutes of March 20, 2019 as corrected. Motion passed 6 – 0 – 1. Ron Cervasio abstained.

b. April 17, 2019

Anthony Renzi moved, Joe Carey seconded, to approve the minutes of April 17, 2019 as corrected. Motion passed 6 – 0 – 1. Ron Cervasio abstained.

Item G. moved to this position

G. Climate Change & Fiscal Impacts of Land Use

Helen Hardy handed out articles on Climate Change and Land Use in regard to cost and tax revenue. Ron Cervasio discussed property rights.

H. Truck Ordinance

Mike Carpenter moved, Joe Carey seconded, to amend the truck ordinance. Jennifer Siciliano stated the Zoning Official Rhett Bishop said that the truck ordinance says 3000# capacity truck is legal which means that most trucks parked around town are legal.

Discussion: Ron Cervasio, Anthony Renzi, Mike Carpenter, Helen Hardy.

*Commercial vehicles

In any A/R District, as of 7/1/2019, parking storage of vehicles in excess of @2600# capacity, and of house trailers (not mid-camping era trailers and motor homes) shall not be permitted except where such parking or storage is directly related to and is an accessory to a permitted use or legal, persisting use.

*owned and operated by owners by people owner residents may be allowed by Special Use Permit with special conditions re safety, visibility and #/size of vehicles.

Discussion: Attorney Achille clarified: as an accessory to a business of the owner / operator of the vehicles by Special Use Permit.

Ms. Achille noted that something that is currently in violation cannot be “grandfathered” in.

Further Discussion on current practice resulted in Mike withdrawing his motion and Joe Carey withdrawing his second.

I. Wetland Requirements RIDEM vs. Foster

This item was tabled until the State determines new wetland setbacks.

L. Restoring Business Tax Incentives

Lisa Johnston suggested that the town reinstate the former taxation incentives which have now expired.

Discussion: Mike Carpenter noted that the Town Council just appointed an Economic Development Committee and felt it should be sent to them. Jeff Sheldon noted concerning the tangible tax that there are people who just don’t pay it and it gets written off. Ron Cervasio suggested that the planner send it to the Economic Development Committee. Jennifer suggested it be sent to the Council to send or recommend to them. Joe Carey asked to add incentives for existing businesses. Lisa Johnston stated that was included.

M. Blight on Route 6

Anthony Renzi stated that he would like to send a recommendation to the Town Council to enforce the State Building Code, including abandoned properties and deteriorating signs.

Discussion: Anthony Renzi, Ron Cervasio, Jeff Sheldon, Joe Carey, and Lisa Johnston

Joanna Achille noted that upcoming state regulations are going to require enforcement of current violations. She further stated that the town is encumbered with legal fees when it enforces these ordinances.

N. Future Agenda Items

- 1) Fees for Development
- 2) Blight Ordinance
- 3) Route 6 Zoning
- 4) Major and Minor Subdivision and Land Development Checklist

O. Adjournment

Lisa moved to adjourn at 8:49 p.m.

Motion carried 7 – 0.

Respectfully submitted,

Helen Hardy, Secretary