

PLANNING BOARD MINUTES

Via Zoom

Wednesday: September 2, 2020

A. Call to Order

Chair Anthony Renzi called the Planning Board to order at 7:01 p.m.

B. Roll Call

Planning Board Members: Anthony Renzi, Chair; Warren Ducharme, Vice Chair; Mike Carpenter, David Paolissi. George Sackal (7:07), and Helen Hardy, Secretary.

Staff: Michael Antonellis, Planner; Joanna Achille, Solicitor

Town Officials: Denise DiFranco, Bob Moreau, Town Council

Members of the public: Joe Carey, Mary Jo Hurley, Mark Oceau, Kristen Sackal
Partners Auto Auction: William Wynne, attorney;
Mark David, owner's representative; Tim Behan, Civil Engineer

C. Approval of Minutes

Minutes of March 4, 2020 – Warren moved and David seconded the motion to approve the minutes of March 4, 2020. Motion carried, all members aye (Mike, Warren, David, Anthony, Helen - 5-0).

George Sackal joined the meeting at 7:07pm.

Minutes of August 5, 2020 - Warren moved and Mike seconded the motion to approve the minutes of August 5, 2020. Motion carried, all members aye (Mike, Warren, David, Anthony, George, Helen - 6-0).

Minutes of August 19, 2020 - Warren moved and Mike seconded the motion to approve the minutes of August 19, 2020. Motion carried, all members aye (Mike, Warren, David, Anthony, George, Helen - 6-0).

D. Correspondence

None

E. Petition for Zoning Map Amendment

Partners Auto Auction, 150B Danielson Pike, Plat 13, Lot 25. Petition to change the Zoning map on this lot from AR to GB/M in order for Partners Auto Auction, Plat 13, Lot 24, to expand its business.

George Sackal, an abutter to this property, recused himself.

Solicitor Joanna Achille noted that M. David, LLC, the petitioner on this proposal, is not registered to do business in the State of RI. At the request of the petitioners, Mike Carpenter moved and David Paolissi seconded the motion to continue the petition in the name of Partners Auto Auction. The motion carried, 5-0 (Michael Carpenter, Warren Ducharme, Helen Hardy, David Paolissi, and Anthony Renzi, aye.).

Attorney William Wynne presented the petition to the Board. He said that the property met the criteria for the zone change because it would be the same use as the abutting property. He said that the change would not require additional public resources. Also, that the petition was consistent with the Comprehensive Plan because it would be a new business on Route 6 where the Plan promotes business.

Mark David, the owner's representative, explained that the additional sixteen-acre lot would be used for additional parking of cars to be sold at the Auto Auction.

Tim Behan, Civil Engineer, BA and MA from URI with more than 30 years of experience in commercial engineering and site development followed. He reviewed the map presented, including the wetlands delineation and setbacks. He said that, as the lot is in the Scituate Reservoir Watershed, they would be working with RIDEM to develop the plan for water run-off, including mitigation of run-off to nearby water courses which flow to the reservoir. He referenced the plan which showed parking for 400 cars.

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Warren, noting Mr. Behan's reference to the watershed, asked what the duration of cars on the lot would be and whether the vehicles would all be 'road worthy'.

Anthony said that he thought the application was safe and appropriate to the area.

Helen asked about the surface of the parking area and access roads.

Mark Oceau, an abutting property owner, expressed concerns. He stated that he appreciates and supports bringing business to Foster, to help off-set taxes. He stated that the adjacent property, where the Auto Auction is located, has been completely paved with asphalt, an impervious material. He said that the zoning official had not been consulted prior to the paving of the lot. He said that in the existing business there were cars in the woods and cars with their hoods up and is concerned with what is leaking from the cars into the ground water. He pointed out that with the addition of hundreds of vehicles, as proposed, if there was a fire in the vehicles the town resources might not be able to deal with it.

Mr. Oceau stated that the existing business was already not in compliance. He is concerned about the impact on health and the environment. He asked that the Board deny the zone change application.

Kristen Sackal, an abutting property owner, asked why the Board would consider changing the zone to GBM on a lot that has so much wetland.

Warren referred to the Community wellhead map and pointed out the number of community wellheads in the vicinity. There is also a public wellhead at the Capt. Isaac Paine School. Warren also pointed out that once there is a zone change to GBM on a piece of property, that other businesses could also go into that lot. He referred to the Comp Plan, which designates that property agricultural/residential.

Michael Antonellis, Planner, stated that he received two emails from Mr. Oceau which were distributed to the board and kept on record.

Michael Carpenter moved and David Paolissi seconded the motion to recommend to the Town Council that Plat 13, Lot 25, located at 150B Danielson Pike, be changed from an Agricultural/Residential zone to a General Business /Mixed Use zone.

The motion carried (Michael Carpenter, Warren Ducharme, David Paolissi, and Anthony Renzi, aye; Helen Hardy, nay, George Sackal recused) 4-1-1.

At 8:08 Mark David, William Wynne, and Tim Behan left the meeting; George Sackal rejoined the Board.

F. Revising Prohibited Uses in Zoning Ordinances

Mike has been researching the ordinances on airstrips in similar communities. In Coventry a private airstrip is permitted on 25+ acres. This would address concerns about fly-overs and noise, and he will give that information to Michael A., who can distribute it to PB members.

George shared research he has done on organic fertilizer production. He was able to get information from Fairview Farms in Woodstock; they dry their manure and use the dry material for bedding and the wet material for fertilizer for their fields. They told him that Digesters were expensive and problematic.

The Board discussed breweries and wineries. There was a question of whether an existing winery produced its own grapes. George said that some towns require at least 60% of the product for sale to be grown on the farm.

George moved and David seconded the motion to continue Item F to the October 7 meeting. Motion carried 6 – 0 (Mike, Warren, Helen, David, Anthony, George, aye).

G. Zoning Ordinance – Review of Uses in the GBM zone

George moved and David seconded the motion to continue Item G to the October 7 meeting. Motion carried 6 – 0 (Mike, Warren, Helen, David, Anthony, George, aye).

H. Farm, Forest Business Accessory Uses

George moved and David seconded the motion to continue Item H to a future meeting. Motion carried 6 – 0 (Mike, Warren, Helen, David, Anthony, George, aye).

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I. Planning Board Schedule – discussion.

September 16 is scheduled to be a Public Hearing on the zone change proposal for Plat 13, Lot 25.

It was noted that it was the prerogative of the Chair to cancel a scheduled meeting when there is not enough content to make it productive.

L. Future Agenda Items

- Planning Board Responsibilities and Rules - Presentation
- 2020 Road and Bridge Plan, review and update
- Finalize Comprehensive Plan Update
- Zone Changes on Rt. 6

J. Adjournment – Warren moved to adjourn at 8:38. Motion carried 6-0 (Mike, Warren, Helen, David, Anthony, George, aye).

Respectfully submitted,

Helen Hardy, Secretary