

Foster Planning Board Meeting Minutes
Benjamin Eddy Building
Wednesday, November 17, 2021

A. Call to Order

Vice Chair Warren Ducharme called the Planning Board to order at 7:01 p.m.

B. Roll Call

Planning Board Members: Michael Carpenter; Hilary Downes Fortune; Vice Chair Warren Ducharme, George Sackal. Secretary Helen Hardy.

Excused: David Paolissi; Chair Anthony Renzi;

Staff: Michael Antonellis, Planner; Joanna Achille, Solicitor.

Members of the Public: Dennis Smith

C. Approval of Minutes

Mike Carpenter moved and Hilary seconded the motion to approve the minutes of the November 3, 2021. Motion carried 5 – 0.

D. Notification of Final Approval: Major subdivision, AP 3, Lot 34, Pierce Road and T. Parker Road, Applicants Michael S. and Susan C. Barnes.

E. Zoning Changes to Recommend to the Town Council

Michael Antonellis provided ordinances from other towns or sample ordinances on several issues that the Town needs to consider.

a & b, Accessory Dwelling units / Accessory Family Dwelling units.

Members decided to table this item until questions were answered.

c. Recreational marijuana

- Michael Antonellis said that although the Town needs to have an ordinance in place before recreational marijuana is legalized by the State, this item can be deferred until the new year. It is still designated a ‘Class 1 drug’ at the Federal level.
- Members discussed making recreational marijuana sales a prohibited use.
- The Green Wave compassion center award for the Route 6 site, for medical marijuana retail sales, is vested for that purpose in that zone. The well at this site has been deemed contaminated. It is not definitely determined to locate in that site.
- Studies were referenced on the effects of recreational marijuana use linked to impaired performance in learning, driving, and intellectual ability, and negatively correlates with completion of high school.
- Dennis Smith, of King Road, spoke. He has 40 years experience in law enforcement, the last 20 in alcohol and drug enforcement. He has experience with landlords and tenants who have had home invasions, abuse, and violence involving drug use. He noted that this industry has the potential to produce ‘hundreds of thousands of dollars’ for the sellers. He emphasized the importance of having the ordinance involving recreational marijuana be ‘perfect’ to avoid having it circumvented.
- Warren said that State enabling legislation can override local zoning.
- Warren also cited the process of conversion of marijuana to oil using butane oil conversion which is so volatile that it can burn down a property in minutes, and gave the

example of a mill building in Providence, an incident that Mr. Smith was also familiar with.

- Mike Carpenter will work on the timeline for legislation so far, and will also research all the requirements (well, water, safety features required, fire department capability, etc.) and Joanna will keep the Board informed on where the legislation is at the State level.

d. Wineries and breweries

- These have been popular and very profitable in other parts of the state.
- Michael will look into the regulations for other RI communities (Portsmouth, Middletown, Newport, Little Compton, for example) to see what regulations they have for setbacks, distance from residential areas, parking, etc.
- Ancillary functions (weddings, etc.) were also discussed.
- The use table will have to be amended to support these businesses if we want to encourage them.
- It was noted that every new use (?) will require a site plan.

e. Community Residence

- The Board read over the proposed ordinance for Community Residences aka group homes. There are presently several group homes in Foster. Most of them are people of various ages who are not with their families and being cared for by other adults.
- None of the current facilities are either halfway houses or substance-abuse facilities.
- Michael provided the State Ordinance on Community Residences.

Warren Moved and David seconded the motion to replace Foster's Community Residence Ordinance with the State Ordinance. Motion carried, 7 – 0.

F. Tabled to a future meeting.

G. Affordable Housing – Goals and Policies

- There was a discussion about the State requirement of 10% affordable housing required in each community, and that the many affordable housing sites that exist in Foster (Clayville, Old Danielson Pike, Abby Lane) are not recognized as 'affordable' because they do not receive State funding.
- Mike would like to talk to the Providence Water Supply Board about providing 3% loans to Foster residents, Foster supplies much of their water. He noted the many houses within the Reservoir area that are on small lots and have cesspools and wells that can't be corrected due to regulations.
- Accessory dwelling units could contribute to affordable housing stock.
- Multifamily housing has rarely been used because it is too restrictive.
- There was a discussion on updating the subdivision regulations to incentivize affordable units. For example, on a large parcel allow eight lots and two extra 'affordable' lots.
- A 'housing trust' was mentioned, that developers would pay into to support more affordable housing.

H. Identifying Growth Centers – tabled.

I. Adjournment

George moved to adjourn at 9:16. Motion carried 5– 0.

Future Agenda Items

- a. Farm and Forest Accessory Business Uses
- b. 2021 Road and Bridge Update – Michael will check with the DPW director about this
- c. Finalize Comprehensive Plan

Respectfully submitted,
Helen Hardy,
Secretary