



PLANNING BOARD MINUTES
TOWN OF FOSTER
Captain Isaac Paine Elementary- Cafeteria
160 Foster Center Road, Foster, RI
Wednesday: February 1, 2017
7:00 p.m.

A. Call to Order

Mr. Carey called the meeting to order at 7:03 p.m.

B. Roll Call

Board Members Present: Joseph Carey (Chair); Helen Hardy (Secretary); Michael Carpenter; Thomas Mercier; Sergio Spaziano; and Ronald Cervasio.

Board Members Excused: Richard Sparks (Vice-Chair).

Staff Present: Juliana King (Planner) and Joanna Achille, Esq. (Solicitor).

Ms. Hardy noted that Mr. Sparks had recused himself from H) on the agenda but was excused anyway.

C. Approval of Minutes

Discussion/Action

- 1) June 15, 2016
- 2) January 18, 2017

Motion by Mr. Mercier to table the minutes. Second by Mr. Carpenter. Approved 5 – 0 – 1 (Mr. Cervasio abstaining).

D. Correspondence

Discussion/Action

There was none.

E. Board Members' Reports

Discussion/Action

- 1) Land Trust

No report was available at this time.

- 2) Conservation Commission

No report was available at this time.

F. Planner's Report

Discussion / Action

November & December 2016

With no comments or questions from the Board, Mr. Carey placed the Reports on file.

G. New Business

Discussion / Action

Presentation & Discussion re: Accessory Businesses on Farms/Forests

Mr. Carey turned the meeting over to Scott Millar from GrowSmart.

Mr. Millar introduced himself, as well as Jennifer West from the Narragansett Bay Research Reserve, to the Board and public present.

Mr. Millar gave a presentation on accessory businesses on farms and forests to incentivize, through income opportunities, landowners to retain working property. Mr. Millar emphasized that it is no risk and free, listed the economic value of forestry and farming (hundreds of millions of dollars), and associated community services, recreational opportunities, unique habitat, energy, and quality of life. Mr. Millar also pointed out that at least 7% of Foster is preserved, while other rural towns actually have a greater percentage of protected open space. 8% of Foster is already developed, but 75% is developable.

Mr. Millar explained that a big threat to farms and forests is high land value, and often landowners are aging. Local zoning precludes most businesses on residential lots, and assumes that any business is a primary use. Small businesses could be accessory, and innovative to invite business to Town. Mr. Millar defined "accessory", and summarized Foster's use table in the Zoning Ordinance and what a special use permit is. Allowed uses and the approval process in other RI municipalities was reviewed, and typical "ag-tivities" and

how they can be lucrative for landowners were listed. Mr. Millar also referenced the Right to Farm Act and nuisance complaints.

Mr. Millar stated that he has worked with local stakeholders and planners in the last few years to develop a performance-based approach to allowing such accessory businesses in the context of each site, taking into account type, size, and scale. This approach could help preserve community character and lifestyle, save money, increase tax revenue, and create jobs.

Discussion ensued on how onerous or recommended special use permits are.

Ms. West facilitated the public participation section, with approximately 55 participants from the audience utilizing voting buttons to actively weigh in on different proposed accessory farm/forest business uses.

Mr. Millar wrapped up by saying that they will be back before the Board soon, to continue discussion and public input.

H. Zoning – Opinion Requested

Discussion / Action

- 1) Owner and Applicant Saint 23, LLC for property located at 9 Mt. Hygeia Road, being Plat 14 Lot 83 in an Agricultural/Residential AR district on 125.3 acres. A Special Use Permit is sought from the Town of Foster Zoning Ordinances Article IV: Zone Regulations: Description of Uses: Section 11 Industrial Use: Subsection 23 Gravel Banks. The Permit is needed to commence a temporary Gravel Bank excavation operation, limited to approvals by RIDEM including Insignificant Alteration to Freshwater Wetlands permit; Industrial Stormwater permit; and Stormwater Discharge for Construction Activity permit, based on a stormwater management report; operation & maintenance plan; soil erosion and sediment control plan; and site plans, including construction phases; on-site project operators; excavation and transportation schedules; construction vehicles' staging/refueling and gravel storage areas; haul road; soil erosion control measures/best management practices; perimeter forest buffer; and final grading/stabilizing/seeding/loaming, submitted with a dust control plan; noise evaluation; and traffic impact study, and anticipating post-extraction farming activity.

Mr. Carey read the Rules for the meeting out loud, and stressed that the Board is only issuing a non-binding opinion to the Zoning Board of Review; the Zoning Board has final say. Mr. Carey also listed the standards for a Special Use Permit.

Mark Fay, attorney for the applicant, introduced himself and the applicant's team/project operators. Mr. Fay addressed the Special Use Permit standards.

Dave Russo, registered professional engineer from DiPrete on the project, gave a brief overview of the RIDEM permits and wetlands/stormwater and erosion control measures.

The Board and the applicant's team discussed traffic, types of trucks, duration of operations, whether the proposal will have a significant impact, the amount of material to be removed, the equipment list and associated noise assessment, noise/dust/vibration as nuisances, surrounding residential densities, whether the proposal is appropriate in the AR district, economic and tax-based benefit, dust management, how the land will look at completion, and no effect on the watershed or wellheads.

Ed Pimental, land use consultant on the project, gave a brief presentation related to Comprehensive Plan consistency.

Mr. Carey noted that the experts were heard tonight, and public comment and a Board vote will be continued to 2/15. The Zoning Board hearing will therefore have to be continued too.

Motion by Mr. Mercier to continue the meeting to 2/15 in Paine at 7pm. Second by Mr. Cervasion.
Approved 6 – 0.

P. Adjournment

Motion to adjourn at 10:12 p.m. was approved unanimously.

Respectfully submitted,

Helen Hardy, Secretary

Audio recording of the full meeting is available for review upon request.