



**PLANNING BOARD MINUTES
TOWN OF FOSTER
Benjamin Eddy Building
6 South Killingly Road, Foster, RI
Wednesday: May 3, 2017
7:00 p.m.**

A. Call to Order

Mr. Carey called the meeting to order at 7:07 p.m.

B. Roll Call

Board Members Present: Joseph Carey (Chair); Richard Sparks (Vice Chair); Helen Hardy (Secretary); Sergio Spaziano; and Ron Cervasio.

Board Members Excused: Mike Carpenter and Tom Mercier.

Staff Present: Joanna Achille (Town Solicitor) and Carol Sholly (Clerk).

Public and Applicants Present: Gordon Rogers (Town Council); Chief Ziehl (Police); Paul Allen; Jeff Sheldon; Jennifer Cervenka, John Typadis, and John Gold (Danielson Pike Solar, LLC); and Hannah Morini (Wind Energy Development)

C. Approval of Minutes

Discussion / Action

1) January 18, 2017

Motion by Mr. Sparks to approve the minutes of January 18, 2017. Second by Mr. Spaziano. Ms. Hardy noted minor corrections. Mr. Cervasio suggested that corrections be made in advance in the future; Ms. Hardy agreed. Approved 5 – 0.

2) April 19, 2017

Motion by Mr. Sparks to approve the minutes of April 19, 2017. Second by Mr. Spaziano. Ms. Hardy noted a minor correction. Approved 5 – 0.

3) April 22, 2017

Motion by Mr. Sparks to approve the minutes of April 22, 2017. Second by Mr. Spaziano. Approved 5 – 0.

D. Correspondence

Discussion/Action

There was none.

E. Board Members' Reports

Discussion/Action

- 1) Land Trust
- 2) Conservation Commission

No reports were available at this time.

F. Major Land Development

Discussion / Action

- 1) Pre-Application of applicant Danielson Pike Solar, LLC and owner Northwest Community Health Care to construct a 950kW DC (720kW AC) ground-mounted solar installation encompassing approximately 2.58 acres separated into two arrays, and related access drives and gates, vegetated buffer, soil erosion and sedimentation control measures, stormwater/drainage best management practices, and electric service extension and structures; located on Danielson Pike by Poles 191-195 and at the intersection with Shippee Schoolhouse Road on 7.088 acres, being Plat 10 Lot 20 in a General Business Mixed Use GBM district

Jennifer Cervenka, attorney for the project, introduced the proposal and stated she had incorporated changes suggested by the Interim Planner Juliana Berry King.

John Typadis, representing the applicant, explained the basics of the plan, and Jason Gold, registered professional engineer on the project, presented the plan diagrams and elaborated on the details. Mr. Gold anticipated forthcoming permits from RIDEM and RIDOT.

Mr. Carey noted that the intersection at Shippee Schoolhouse Road and Route 6 is a dangerous one, and suggested that the applicant consult with the police chief in addition to RIDOT regarding a curb cut on to Route 6 by it.

Mr. Carey asked if the applicant will be leasing or buying the property, and Mr. Gold replied they will buy it. Ms. Cervenka said they would submit a Master Plan for May 17th.

G. Zoning

Discussion/Action

1) Wind Turbine Ordinance (continued)

The Board and Mr. Rogers discussed the need for definitions, height restrictions, and setbacks.

Motion by Mr. Cervasio to reduce the proposed setback for a minor wind turbine to 1.5x. Second by Mr. Spaziano. Approved 4 – 1 – 0 (Ms. Hardy voted no).

Motion by Mr. Spaziano to add a radius setback requirement from any neighboring residential structure. Second by Mr. Sparks. Approved 5 – 0.

Mr. Carey remarked that the Board should consider a maximum height for a minor wind turbine after further research.

Motion by Mr. Spaziano to remove “maximum height” from constraints on a minor wind turbine, with a final determination of height limit plus the height of the rotor at a future meeting. Second by Mr. Cervasio. Approved 5 – 0.

Further discussion revolved around major wind turbines and differences, noise, feasibility, blinking red lights at certain heights and above, access roads, and impact on wildlife, and included the Board, Ms. Achille, Mr. Rogers, Mr. Allen, and Ms. Morini.

Motion by Mr. Cervasio to require a Major Land Development review and approval process for major wind turbines. Second by Mr. Spaziano. Approved 5 – 0.

Motion by Mr. Carey to require access roads be rebuilt to minimum size after installation construction. Second by Mr. Sparks. Approved 5 – 0.

Motion by Mr. Cervasio to table further discussion to a future meeting. Second by Mr. Sparks. Approved 5 – 0.

2) Marijuana Ordinance (continued)

Mr. Carey stated that they would be discussing only medical marijuana tonight. Discussion among the Board, Ms. Achille, Mr. Rogers, Mr. Sheldon, and Chief Ziehl concerned definitions, Federal and State regulations, and the impact on safety services.

Motion by Mr. Cervasio to accept that the definition of licensed cultivators from the Planning Department be included in the ordinance, and that licensed cultivators be permitted. Second by Mr. Sparks.

Upon further discussion regarding refining definitions, Mr. Cervasio withdrew the motion.

Motion by Mr. Carey to table the discussion to a future meeting until the Solicitor can refine the definitions. Second by Mr. Sparks. Approved 5 – 0.

H. Comprehensive Plan Update

Discussion/Action

There was no update at this time.

I. Future Agenda Items

Discussion

- 1) Continued Discussion re: Accessory Businesses on Farms/Forests
- 2) Communications Towers approval procedure

3) RIDEM Farmland Access Program

J. Adjournment

Motion to adjourn at 9:30 a.m. was approved unanimously.

Respectfully submitted,

Helen Hardy, Secretary