

Town Council Meeting  
September 28, 2023

The September 28, 2023, Town Council Meeting was called to order by Denise L. DiFranco, President, in Foster, RI at 6:00 p.m. at the Benjamin Eddy Building.

The following members were present:

**Denise L. DiFranco, President**

**Chris Stone**

**David Paolino**

**Heidi Rogers, excused**

Also present:

Kelli Russ, Finance Director

Julia Chretien, Assistant Solicitor

**I. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**II. ANNOUNCEMENTS**

Denise L. DiFranco announced that Heidi Rogers is excused. Ms. DiFranco also announced that Mr. Barnes was replaced Tuesday night by Renee Palazzo. He was interim Superintendent.

**III. PUBLIC COMMENT**

Lynne Rider, Burgess Road, stated that she wanted to mention that at one time they were doing construction over by the Town House and a truck backed into and knocked over one of the granite posts, and she had been trying to remember to mention that.

Ron Cervasio said that he and Ms. DiFranco had had a discussion about the word "rural". He said it [Foster] was a suburban community. He looked it up in the dictionary and it says, "having to do with agriculture and logging." Suburban is "outside an urban area." So nobody in this town works in agriculture, very few, everyone leaves to go to urban areas for work. The reason he keeps mentioning it is because there's one word that holds this town back and it is in people's minds it's Currier & Ives. A suburban community isn't going to break five acre zoning. He gave examples of suburban areas. He said we need to come to a different understanding of what we are and what we are trying to protect but also how we are trying to move forward. The word "rural" is the one word that is holding us back because it means so much to so many people and it's not true.

**IV. CONSENT AGENDA**

**Warrants**

Approval of General Warrant **FY2023 #26** \$30,115.43  
**FY2024 #05** \$237,538.10

Chris Stone moved, David Paolino seconded, to accept the consent agenda as presented.

Discussion: None.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

**V. PUBLIC HEARINGS**

**1<sup>st</sup> Hearing – Zoning**

Sec. 38-358

Sec. 38-191

Sec. 38-192

Sec. 38-288

**1<sup>st</sup> Hearing – Zoning**

Denise L. DiFranco said this is the first hearing which means the council will not be voting on it; it is for public comment only.

David Paolino read the ad for the public hearing (see Exhibit A).

Denise L. DiFranco opened the public hearing.

Grant McGregor explained the proposed changes as listed below.

***Sec. 38-358 – Development Standards for Highway Commercial 2 (HC2) (Addition)***

Proposed addition of development standards to accompany the addition of the proposed HC2 zoning district. Development standards are proposed to assist in maintaining a balance between commercial, residential, and agricultural uses. Sec. 38-358 is currently reserved.

Ron Cervasio, Old Plainfield Pike, said the first time this was presented, we went into a long diatribe about septic systems. One of the issues on Route Six is the amount of small substandard lots of record. It will affect anybody who wants to build retail or housing. Anything commercial it is not going to affect. They are going to look into large parcels and buy up the small parcels because they are not going to want a little surrounding. Almost everything he presented has nothing to do with what's coming before you from the planning board. The one thing you do not want to do here is mix up retail—which we're not going to have with our population—and residential. You want to move in with commercial. He said we need at least a million five a year more to run this community.

Lynne Rider, Burgess Road, asked about item 5K.

"With respect to the localized climatic characteristics of a given area any development which proposes new structures, new hardsurface ground coverage or the installation of machinery which emits heat, vapor or fumes, shall endeavor to minimize insofar as practicable, any adverse impact on light, air, water resources, or on noise and temperature levels of the immediate environment." She was curious as to how to

determine what is “practicable?” It doesn’t sound right, but that is the word that is used.

Denise L. DiFranco wondered if practicable was financial. Mr. McGregor said it could be interpreted a number of ways. The planning board in its review could treat that word as basically prohibited if it immediately impacts the environment in a manner that was not desirable. David Paolino asked Ms. Rider if in her interpretation it was very subjective. She said yes, if you are impacting air and water, that that is something of a gray area. Mr. Paolino said they went through it with St. Croix, with drainage ditches, water diversion, sound studies, dust mitigation.

Anthony Renzi, Central Pike, said what it is here for is if a company comes in and spews steam which really doesn’t affect anything but like Grant said, anyone that’s going to come to town is going to have to come in front of the planning board. They allowed a company in Smithfield; they wash out those 55 gallon chemical barrels. They went in there and did everything they were supposed to do, but the fumes that come out, you can smell them and they were having some runoff. They came in and said “everything will be fine” but there are some things that wouldn’t affect the environment but some that are but before somebody gave them the okay, they would have to come in front of the planning board and we would diligently look at it. Ms. Rider said that answered her question.

Denise L. DiFranco said that rural is a term used in Rhode Island. That is the term that the state uses so we follow that.

Ron Cervasio, said as chair of the planning board when St. Croix came in, he came in with specialists, two civil engineers, and two lawyers. So the planning board could demand those things. That was the most extensive thing that ever happened in this town and we turned them down.

Denise L. DiFranco closed the public hearing. It will be on the next agenda October 12 and at that time, we will take a vote.

***Sec. 38-191 (Table of Uses) (Amendment)***  
***Discussion***

Grant McGregor explained the proposed removal of NC, MI, and R-SC zoning districts and the proposal of an addition of an HC2 zoning district. Uses amended based on least restrictive permitted uses in districts to be removed. Notes found in Sec. 38-191 to be removed and replaced for organizational purposes.

Denise L. DiFranco asked what MI stood for. Mr. McGregor said it was Manufacturing / Industrial. Ms. DiFranco said we have one section of town that has that on Winsor? Mr. McGregor said yes, one parcel. Denise L. DiFranco asked if a business exists there already, they would be grandfathered in or fall under that HC2? Mr. McGregor said yes. The goal is to have property owners have more things permitted.

Denise L. DiFranco said, for instance, number 9 Automotive Repair. You are trying to allow people to use it— Mr. McGregor said instead of going for a Special Use Permit process they would go through a commercial site plan process.

Denise L. DiFranco opened the public hearing for 38-191, 38-192, and 38 -288. We are discussing not 38-191.

Matt Gillooly, discussed why number 8 was broken up into 8 and 13. Mr. McGregor said that was in case the State wanted to come in.

Lynne Rider asked if the labeling was universal. Mr. McGregor said it was not.

Mr. Renzi said we tried to make it so everybody understands. We want every business to come in front of the planning board so that we could vet them instead of somebody opening up something just because it's zoned there.

Ron Cervasio said he remembers Chief Coyne saying, "Every business owner on Route Six is a convicted felon." We should do something about licensing, BCI and like that.

***Sec. 38- 192 (Dimensional regulations)  
(Amendment)***

Dimensional regulations proposed to be amended to create more consistent setback regulations. Setback regulations designed based on the Rural and Suburban Fire Safety Manual. Removal of districts as proposed by Sec. 38-191 and 38-132 is proposed in Sec. 38-192. Overlay districts proposed to be added for municipal uses and uses within historic districts.

Grant McGregor said one of those is the residential senior citizen section. It's a needed use; he thinks there is a 100 person waiting list at Hemlock Village. We had to accommodate those uses in HC2. One of the planning board members is on the State Building Committee, he is an architect there, and dimensional requirements as far as setbacks for buildings is put forward by the Safety Fire manual and it was mentioned why we didn't use the State minimum. The reason is because if we had a 10 foot setback for a septic system and someone had a well, the state setback would be 75 feet so you could potentially block somebody from developing, so what is put forward will prevent that from happening. Mr. McGregor reviewed the items to be removed due to the creation of HC2 district. He mentioned utility regulations, municipal, and conservation overlay. No discussion.

***Sec. 38-288 (Sign Regulations) (Amendment)***

Grant McGregor reviewed the sign regulations that are proposed to be amended. Some sign regulations are amended in an effort to work toward a future dark sky ordinance proposal, to clarify prohibited signs, or to alleviate inconsistencies existing within the section. Lynne Rider asked about the internally-illuminated sign in GBM areas. And in HC2? Mr. McGregor said yes, because of the gas stations. Mr. Renzi noted that you can't take signs down once they are up. From this point on we wanted uniformity.

Denise L. DiFranco closed the public hearing

**2<sup>nd</sup> Hearing- Zoning  
Sec. 38-132**

**2<sup>nd</sup> Hearing- Zoning, removal of Sec. 38-132**

David Paolino read the ad (see Exhibit B). The recommendation is the removal of Sec. 38-132 of the Foster Zoning Ordinance (official zoning map) and its replacement as an attachment to the Zoning Ordinance with several significant amendments.

Denise L. DiFranco said this is the second hearing so they will be voting on it. She was concerned at the low turnout at the last meeting so second notices were sent out last week.

Grant McGregor explained that the current zoning map is only a table and that's not really a planning standard. The purpose is to allow more uses on a given property and to increase the potential value. The

potential value would increase based on the fact that a commercial use would be permitted as opposed to only a residential use. Smaller parcels would be residential; larger would be HC2. All commercial enterprises would require a site plan. If approved, we would go from having 57 commercial properties in Foster to 96.

The areas selected went from WellOne to the Connecticut State Line / Cucumber Hill Road, which would be HC2 for parcels larger than 4.5 acres. Then 6 and 94 going east to the Foster Bear Arms Trading Post and the eastern portion of Rt. 6 would not be touched due to the slope of the land. Senior living facilities would be permitted in HC2.

Denise L. DiFranco asked for questions and concerns. Matt Gillooly, Winsor Road, asked if right across from 180 Hartford Pike, the frontage of that property going to be rezoned or will it be the frontage along Winsor Road. Mr. McGregor said the proposed parcels would only be allowed on those specific parcels. Just those existing.

Mr. Gillooly so it's to allow more things to be there. Mr. McGregor said yes. Mr. Gillooly asked if that meant new things might happen on that property. Julia Chretien said that he would get notice. Cheryl Hawes said that used to be Turnquist Lumber. Mr. McGregor said they would have to go through a site review. Ms. Hawes said that previously there were suspicious businesses in there that went down suspiciously so she can understand his concern. David Paolino said that is why we are going through this.

Denise L. DiFranco closed the public hearing.

David Paolino moved to accept the planning board review and ordinance changes as presented in regards to Section 38-132. Chris Stone seconded.

David Paolino wanted to reiterate that Grant had done the due diligence to insure that any changes that we are proposing won't blindside or affect anyone who is currently in use and compliant and the changes we make will not put them in harm's way. Mr. McGregor said he did.

Denise L. DiFranco asked if it changed their tax base. Mr. McGregor said it did not. Anthony Renzi said it does not change but if someone sells and a developer want to buy that, they could.

Kelli Russ said it would go by the assessed value but the rate is the same.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

**VI. OLD BUSINESS**

Approval of funding for two 4' x 8' signs from a concept picture of the New Police Station

Denise L. DiFranco said she reached out to two businesses, one recommended by a member of the building committee and one business she was familiar with. Signs.com and the other is Southpeak Signworks. Chris Stone asked if our name was on the property.

Denise L. DiFranco said no. Mr. Stone said we're putting signs on someone else's property; it doesn't make any sense to him. Everybody keeps telling him we're going to get it—when?

Denise L. DiFranco said it shows good faith. Chris Stone asked how much good faith? David Paolino said \$550 worth.

Chris Stone asked how far are they into it already? Ms. Russ said \$100,000. Anthony Renzi said that for the amount that we have invested, he thinks it's worth it. It's close, it's very close. We have to check all these boxes. Chief Lindell said she believes that a sign on the property is a good visual for the town.

Lynne Rider said that Foster is in competition with two other communities that want a piece of this \$11 million and one of the criteria is that you are shovel-ready. The sign is telling people that we are shovel-ready because the other two communities are saying we are not. It also shows the people in town that something is happening on Rt. 6, which she thinks is important. Why two signs? Denise L. DiFranco said it was two-sided, not two signs.

Robert DePalo, Plainfield Pike, asked why we haven't received the deed for the land. Denise L. DiFranco said they are waiting for the engineer to come up with a final determination of how much land is needed. Chief Lindell said they had to tweak it. Denise L. DiFranco said the other problem is wetlands that appeared, so we had to move the building. Mr. DePalo asked if they change their membership and they back out, can we get our money back on the promise they made us? Denise L. DiFranco said they voted on it, and she believes the vote will stand.

David Paolino moved to the approve the invoice for \$480 for the signs with Southpeak Signworks on Danielson Pike.

Chris Stone seconded.

Discussion: None.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

**VII. NEW BUSINESS**

**A. Multipurpose  
Community Facility  
Projects Municipal  
Grant Fund (Library)**

Denise L. DiFranco said there is a grant through the Federal Government and it is called "Learn 365". Initially it was \$335,000 but now is \$381,000. It has to have programs be up and running by December of 2026. Denise L. DiFranco said she had concerns because it has to be completed by 2026 or they want all the money back. We reached out to Angel Medrano, president of the library, hoping they could utilize the money. Even with their most optimistic hopes, he did not think they could make the deadline. No one wants to turn it down, but they have to fundraise so much money.

Lynne Rider asked about the Woody Lowden Center. Ms. Russ said it had to be education, work, and building.

Kelli Russ said that if we could incorporate our residents with another town's resources, we could do that. Ms. Russ said we might be able to do enough work to keep it, but we have not identified how to use it. She suggested reallocating the money to another community, for example, Scituate or Gloucester, which would also benefit Foster through a MOA (memorandum of agreement).

David Paolino moved to empower Kelli Russ to enter into an MOA with Scituate and/or Gloucester.

Denise L. DiFranco said she would continue it until October 12.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

**B. Resignation of Board of  
Canvassers' Member  
(Republican)**

Denise L. DiFranco read the resignation letter from Bruce Kopec (see Exhibit C).

Chris Stone moved, David Paolino seconded, to accept with regrets.

Motion passed 3 - 0.



Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

C. Appointment of Board  
of Canvassers' Member  
( Republican)

Denise L. DiFranco explained that Bruce [Kopec] was Republican so a Republican is needed to replace him so we have an email from Loretta Rotondo requesting to be considered as a Republican replacement. Kevin Donovan, head of the Republican Town Committee, recommended her. Board of Canvassers must contact a letter to the Republican and Democratic Town Committees to put up candidates. Mr. Donovan put up Loretta Rotondo.

David Paolino moved to appoint Loretta Rotondo to the Board of Canvassers for a term expiring in March 2026.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

D. Resignation of Alternate  
Board of Canvassers'  
Member (Democrat)

Denise L. DiFranco stated that Christina DiChiera resigned as an alternate from the Board of Canvassers. Chris Stone moved, David Paolino seconded, to accept the resignation with regrets.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

E. Appointment of  
Alternate Board of  
Canvassers' Member  
(Judy Williams:  
Democrat)

Denise L. DiFranco asked Lynne Rider if the committee has a recommendation for the vacant Board of Canvassers position. Ms. Rider said the committee was in favor of Judy Williams being appointed.

David Paolino moved, Chris Stone seconded, to appoint Judy Williams as an alternate member of the Board of Canvassers.

Discussion: Ms. DiFranco asked what the term would be. Mr. DePalo said March of 2026.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

F. Recreation Committee  
Appointment requests

Denise L. DiFranco said the Recreation is in need of two volunteers, there are two letters of request. One is from Kiira Parry and Tammy [Steinkamp] is in favor of her appointment.

Chris Stone moved, David Paolino seconded, to appoint Kiira Parry to the Recreation Committee

Discussion: None.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

Denise L. DiFranco said that Jayme Pirzynski has applied to the Recreation Committee and Tammy [Steinkamp] is in favor.

David Paolino moved, Chris Stone seconded, to appoint Jayme Pirzynski to the Recreation Committee.

Motion passed 3 - 0.

Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

Julia Chretien, Assistant Solicitor, instructed Michaela Johnson, Deputy Town Clerk [Standing in for Susan Dillon, Town Clerk, during her scheduled time-off] and Kelli Russ, Finance Director, to leave. Julia Chretien clerked the Executive Session.

**VIII. EXECUTIVE SESSION**  
**Pursuant to RIGL 42-46-5, (A), (1) Personnel**  
Alison Bouchard – Social Services Director, drafting and approval of written warning (no substantive discussion)

Chris Stone moved, David Paolino seconded, to go into Executive Session pursuant to RIGL 42-46-5 for a work session regarding Personnel and Job Performance according to RIGL 42-46-5-(A)1 and to reconvene into open session and to further keep the minutes of said meeting closed and the minutes of all executive sessions held previous to this meeting remain closed in accordance with provisions in RIGL 42-46-4 & 5.

No discussion.

Motion passed 3-0.

The council reconvened in to Open Session at 8:51 p.m. Denise L. DiFranco announced that one votes was taken in Executive Session to accept the written warning letter as drafted.

Motion passed 3 - 0.

**IX. ADJOURNMENT**

Meeting adjourned at 8:57 p.m.

Submitted by,

Michaela Johnson, Deputy Town Clerk



## **TOWN OF FOSTER**

On September 28, 2023 The Foster Town Council will conduct a Public Hearing at 6:00 PM at 6 South Killingly Road (Benjamin Eddy Building). On the agenda will be discussion of four zoning ordinances recommended by the Planning Board at its August meeting.

The recommendations include the addition of a section to the Foster Zoning Ordinance. Sec. 38-358 is currently reserved. Design standards for the newly proposed HC2 zoning district are proposed to be added under Sec. 38-358.

The recommendations include amendments to the Foster Zoning Ordinance Sec. 38-191 - (Table of uses). All use categories and notes to be amended based on zoning map amendment recommended by Planning Board on July 19, 2023 and heard by Council on August 10, 2023.

The recommendations also include amendments to the Foster zoning Ordinance Sec. 38- 192 (Dimensional regulations) in consistency with the proposed zoning map amendment referenced and dated in the paragraph above.

The recommendations also include amendments to the Foster zoning Ordinance Sec. 38- 288 (Sign Regulations) in consistency with the proposed zoning map amendment referenced and dated in the third paragraph.

Copies of the proposed amendments, additions, and removals can be found online at <https://www.townoffoster.com/planning-department>. Copies can also be obtained from the Foster Planning Office during regular business hours by appointment only. The proposed amendments, additions, and removals may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the hearing.

Individuals requiring interpreter service must notify the Town Clerk's Office at (401) 392- 9200 at least 72 hours in advance of the hearing date.

By order of the Town Council,  
Susan M. Dillon, Town Clerk



# Town of Foster

Est. 1781

## TOWN OF FOSTER

On September 14, 2023 The Foster Town Council will conduct a Public Hearing at 6:00 PM at 181 Howard Hill Road (Town House Building). On the agenda will be discussion of one zoning ordinance amendment, recommended by the Planning Board at its July meeting.

The recommendation includes the removal of Sec. 38-132 of the Foster Zoning Ordinance (Official zoning map) and its replacement as an attachment to the Zoning Ordinance with several significant amendments.

Copies of the proposed amendments, additions, and removals can be found online at <https://www.townoffoster.com/planning-department/pages/planning-board-recommended-ordinances-be-heard-town-council-september>. Copies can also be obtained from the Foster Planning Office during regular business hours by appointment only. The proposed amendments, additions, and removals may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the hearing.

Individuals requiring interpreter service must notify the Town Clerk's Office at (401) 392-9200 at least 72 hours in advance of the hearing date.

By order of the Town Council,  
Susan M. Dillon, Town Clerk

To be advertised in The Valley-Breeze Observer August 17, August 24 and August 31, 2023

**Sue Dillon**

---

**From:** Aol mail <bkopec1@aol.com>  
**Sent:** Saturday, September 9, 2023 11:00 AM  
**To:** Sue Dillon  
**Subject:** Kopec resignation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sue,

I am writing this e-mail to let you know that effective immediately I am resigning from the Board of Canvassers for personal reasons. I want to thank you for all your help while I served in this position and I wish you the best in your future.

Thank you,

Bruce Kopec