



Town of Foster

Est. 1781

GROWTH MANAGEMENT PROGRAM

Phase 1 & 2

Final Report

March 21, 2004

TOWN OF FOSTER

GROWTH MANAGEMENT PROGRAM

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TOWN OF FOSTER

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Phase 1 & 2 - Final Report, February 15, 2004

1. INTRODUCTION

In 1991, the Foster Town Council adopted the Foster Comprehensive Community Plan to satisfy state requirements and help guide development over the next 20 years. Although the Comprehensive Plan states that:

“Residents of the town are aware that change is inevitable but not always good. When change is not anticipated, and not managed, it may not be as beneficial to the community as first thought or suggested. It is possible to not only anticipate change in the community, but program positive change which is beneficial to the community and actually enhances the character of the community. Planning for change is a fundamental activity of government.”¹

The 1991 Comprehensive Plan is quite explicit in calling for growth management as the excerpted section of the plan’s summary states:

“2.5.1 *Growth Management*

Current and future growth and development, and the rate at which it occurs, shall not adversely affect or in any way detract from the unique environmental resources, historic and rural physical and social character of Foster. Foster will direct its planning and growth management policies to encourage growth and development that enhance the quality of life for town residents and visitors and protect the town's assets. The Town will:

- Establish an annual growth rate indicator in step with the Town's ability to provide essential services and facilities.
- Consider adopting legally defensible incentives and disincentives to achieve a stabilized rate of growth at acceptable levels, including programmed phasing of new development.
- Retain the position of Town Planner to assist in implementing the Comprehensive Plan.”²

This report, Growth Management Program, will bring effective growth management in conjunction with the Town’s Zoning Ordinance and Subdivision Regulations.

In order to establish an effective growth management program for the Town, it is best to go back and review the major principles of the Foster’s Comprehensive Plan. That Plan was prepared and adopted in accordance with the requirements of the Rhode Island Gen-

¹ Foster Comprehensive Plan, 1991, Plan Summary, page 4.

² Foster Comprehensive Plan, 1991, Plan Summary, pages 6 –7.

eral Laws Chapter 45-22.2. The Town has prepared the elements required by the state statute. These elements include Goals and Policies, Economic Development, Land Use, Housing, Community Facilities, Natural Resources, Historic and Scenic Resources, Circulation, and Open Space and Recreation.

The Introduction to the Comprehensive Plan quotes the State Historical Preservation and Heritage Commission the following very apt description of the Town's growth pattern that is just as true today as it was in 1982.

"Foster is rich in resources; historic houses, farmsteads, roads and mill ruins, and in the natural beauty of its setting; brooks, waterfalls, woods, swamps, and the plant and animal life they shelter. All of these resources are fragile, and most of them are non-renewable. All of them are threatened by development.

The Town's rugged topography, generally poor soil, and small-scale streams, coupled with its isolated location twenty (20) miles west of Providence, have largely determined its historical and physical development, delaying the initial colonial settlement until about 1704 and town incorporation until 1781 and contributing to a period of decline and outmigration which lasted from the late 1820s until the early 1950s. The location of the town within easy automobile commuting distance to Providence and major employment centers has brought significant development pressure in the last decade.³

In more recent years, the Town of Foster has experienced rapid growth. Demand for new housing coupled with economic development and significant improvements in roadway and other infrastructure have resulted in expanded demand for housing. Increases in population have put tremendous pressure on the Town's ability to provide services to its residents. Citizens have expressed concern over protecting the Town's character and open space. Moreover, this trend is showing no signs of abating, in part, due to an unmet demand for housing in the Northeast.

2. GROWTH MANAGEMENT - OVERVIEW

A. What Is Growth Management?

"Growth management is a land use planning tool ... designed to regulate the location, timing, or rate of community growth." "Growth management is a tool to implement planning."⁴

Eric Damian Kelly, a noted planner and professor of land use planning, makes the quotes above. Kelly's volume on growth management traces the history and effects of various growth management programs in the United States. He points to the comprehensive plan as the first step towards growth management. As noted earlier, Foster has an adopted

³ Rhode Island Historical Preservation and Heritage Commission, *Foster, Rhode Island, Statewide Historical Preservation Report 1982*, Page F-1.

⁴ Eric Damian Kelly, *Managing Community Growth : Policies, Techniques, and Impacts*, Praeger Publishers, 1993, Page 1 and 8.

Comprehensive Community Plan that specifically calls for growth management. Foster also has its Zoning Ordinance and Subdivision Regulations.

B. Why Do We Need Growth Management if we have a good Zoning Ordinance and Subdivision Regulations?

It is true that the Town's major tools to implement its Comprehensive Plan are through its Zoning Ordinance and its Subdivision Regulations. Zoning sets forth overall districts that regulate the use of land, along with density limits and dimensional requirements. Subdivision Regulations assure that development will occur in conformity with the Zoning Ordinance and in strict compliance with specific and detailed standards for roadway design and layout of house lots.

Zoning and Subdivision Regulations, however, are not by themselves tools for growth management. They are considered *static tools* because they do not consider the timing of development. Just because a town sets up zoning districts does not mean that the land will necessarily be developed. Development responds to *market demand* for such uses as housing, commercial development and industry. During periods of slow to moderate growth, Zoning and Subdivision Regulations are adequate to regulate land use in the Town. If on the other hand, when the market accelerates on the heels of a strong economy and improved access to outlying rural areas, Zoning and Subdivision Regulations by themselves do nothing to control the *rate of growth*.

When a developer meets all the basic requirements contained within the Zoning Ordinance and Subdivision Regulations, the Town is obliged to grant permits for such development. Concerns about growth impacts, expansion of municipal services and the need to educate children in an overburdened school district come too late, unless a system is in place that considers and plans for growth patterns long before the units are approved and occupied.

In summary, zoning and subdivision controls are static tools that assume a relatively stable growth pattern. For towns that have experienced rapid growth in past years and have the potential to significantly increase its population every few years, the concept of "growth management" must be considered to control and mitigate the costs of growth. In such towns, growth management measures, when used with a well-crafted zoning ordinance, have proven to be effective in controlling rapid suburban growth. Although Foster's population growth has been somewhat flat for the past ten years, there is the potential for new growth in the coming decades.

C. Types of Growth Management Techniques

Among the various techniques for managing growth are several which should be considered for the Town of Foster. These are generally described as "Adequate Public Facilities Standards," "Phased Growth Programs," "Urban Growth Boundary," "Rate-of-growth Phased Programs" and "Growth Caps." Each of these techniques is described below.

1. *Adequate Public Facilities Standards* - This technique of growth management permits growth only in areas that have adequate public facilities such as sanitary sewers,

storm-water systems, public water supply, public school facilities, roads, and other community infrastructure to handle the growth. Conversely, the standards prohibit growth in areas that are lacking in one or more such facilities.

2. *Phased Growth Programs* - This technique commits a town to installing facilities (such as sanitary sewers, storm-water systems, public water supply, public schools and roads) once it has adopted a highly developed community facility plan which phases growth. Most of the land would be zoned for very low density while the Town goes about its plan to build new facilities. As these facilities are built, the Town would change its zoning map to higher density as the capacity for growth rises.
3. *Urban Growth Boundary* - This technique establishes limits to growth within an overall boundary, usually allowing more growth in a centralized area and limiting development on the fringe. The Boundary technique really requires implementation on a statewide or even regional basis. The State of Rhode Island could establish a statewide land use policy with an “urban growth boundary” that centralizes growth in the urban core and keep limits on growth in outlying, rural communities.
4. *Rate-of-growth Phased Programs* - This technique calls for a town to establish a set rate of growth, a rate which is based on studies examining the impacts of past growth and the ability of the community to absorb the growth. Usually the rate is a percentage increase in the housing stock on an annual basis or just a finite cap on the number of residential units approved each year. The study should indicate that rapid growth has a deleterious impact not only in the form of rising tax rates but also on the quality of life in the community.
5. *Growth Caps* - This technique calls for limiting the total amount of development in any given year. Some communities put an absolute cap based on some future “build-out” scenario. But an annual cap is imposed in response to an urgent need, such as the fact that the schools are at or over capacity.

D. Applicability to Foster

There are many types of growth management techniques available to Foster. However, the size, location and nature of the Town would indicate that some of these techniques are not appropriate. An obvious technique is the well-known “Growth Boundary” technique. This technique is known for its use by the states of Hawaii and Oregon. The Portland model is often cited as a success in growth management texts. But Foster cannot enact its own growth boundary model; it would have to be done on a statewide basis and there is no indication that the State of Rhode Island is about to undertake a regional growth management program.

Growth management must also be *manageable*. That is, the Town’s existing administrative and planning personnel must be able to implement the program without having to create a lot of new staff positions. Both the “Adequate Public Facilities Standards” and “Phased Growth Programs” techniques require a great deal of staff resources to prepare detailed public facilities plans and programs. Moreover, these planned facilities that control growth usually occur in large towns or suburban cities that are struggling with their

public sewer and water systems. The best known of these is Ramapo, New York and Petaluma, California. In the case of Ramapo, the town set up a complicated point system that regulated land use growth, based in availability of various types of public facilities, including public education, public safety, sewer and water. These early experiments conducted in the early 1970's were not very successful and were abandoned several decades later.

Foster is simply not in the category of the communities cited above. In fact, one of the goals of this growth management plan will be to maintain Foster's unique qualities and to allow for existing staff to administer the proposed program.

Perhaps the best promise for successful growth management would be a cap on building permits and/or a phased subdivision approval program. The Planning Board would be the most likely body to pursue phasing of subdivisions. A mandatory phasing would impose a finite number of house lots to be approved on an annual basis. Generally, mandatory subdivision phasing is somewhat more difficult to enforce than a growth cap on building permits because the Planning Board, abutters and developers prefer to plan for the whole site rather than a "piece-meal" approach. Once the whole subdivision is approved on paper, phasing of house lots could be imposed through the growth cap.

The residential growth cap on building permits is a more desirable approach for many reasons. Principal among these is that the cap will be enacted as an amendment to the Zoning Ordinance, which amounts to a legislative mandate by the Town Council, as opposed to an administrative action by the Planning Board. The cap will work even though the Planning Board is free to approve subdivisions and negotiate phasing on a case-by-case basis.

3. FOSTER - GROWTH ISSUES

A. Growth Trends

Foster was settled in the early 1700's. Throughout most of its history Foster's pattern of land use has been one of modest agricultural use with small patterns of commercial and industrial growth around the villages and hamlets. It was a rural community's need for self-determination that led to Foster's independence; first from Providence in 1731 and then from Scituate in 1781. In the 200 years since Foster's incorporation, the town has seen years of growth and decline. It flourished briefly in the late 18th and early 19th centuries. During the second half of the 19th century its population dwindled and land cleared for farming reverted back to forest. Within the last fifty years that Foster became subject to rapid suburban growth from the regional metropolitan. Growth pressure and five-acre residential zoning determined the current development of the town.⁵

Foster's five-acre residential development is based on the supposition that rural character can be preserved with this type of zoning. The land use element notes that such large lot zoning actually contributes to "suburbanizing the landscape, sprawling development along Foster's roads, with houses at uniform intervals much like land use patterns in standard large lot suburban development. Likewise, Foster's single example of a backlot

⁵ *Foster Comprehensive Plan, 1991, Land Use Element, page 35.*

subdivision is not unlike subdivisions in suburban Cranston, Warwick, Barrington, East Greenwich and North Kingstown, with suburban houses at regular intervals on wide curvilinear streets. This land use pattern, although protective of some environmental features, is at odds with the physical character of the town and the historical pattern of development that, in part, created this character.⁶

The Town of Foster is a suburban community of approximately 51.14 square miles in area with a population of over 4,274 people. Foster was one of a few Rhode Island towns that lost population; in 1990 the population was 4,316, a loss of less than 1%.

Foster is a residential and agricultural town, that separated from the town of Scituate, and incorporated on August 24, 1781. Foster's historic man-made environment dates primarily from the mid-18th to the mid-19th centuries; and within that time frame, many houses and farms date to the years between 1760 and 1820. The highest point in Rhode Island is located in northwest Foster, Jerimoth Hill, which is 812 feet above sea level. From the beginning villages grew in Foster, with Hopkins Mills as the first to develop in the early 1700s. Foster Center, the present seat of government, developed later in the 18th century, and it was here that the first Foster town meeting was held in 1781. The village of Clayville took form in the early 19th century, as did Moosup Valley, North Foster, and Mount Vernon.⁷

Foster is rich in historic resources – houses, farmsteads, stone walls, roads, and mill ruins, and in the natural beauty of its setting, brooks, waterfalls, woods, swamps, and the plant and animal life they shelter. Foster remains sparsely settled with almost four-fifths of the town's 51 square miles being hilly, and 88.2 percent of the land being forested.⁸

The town's overall density of persons per square mile was 84 in 2000. While the population declined by 1%, the housing units grew to 1,578 units from 1,525 in 1990, a gain of 53 units in ten years.⁹

Population growth data from 1930 are presented below in tabular and chart form:

Table 1
Foster Population Growth

Year	Population	Percentage Change
1930	946	
1940	1237	30.76%
1950	1,630	31.77%
1960	2,097	28.65%
1970	2,626	25.23%
1980	3,370	28.33%
1990	4,316	28.07%

⁶ Ibid.

⁷ RIEDC, Community Profile.

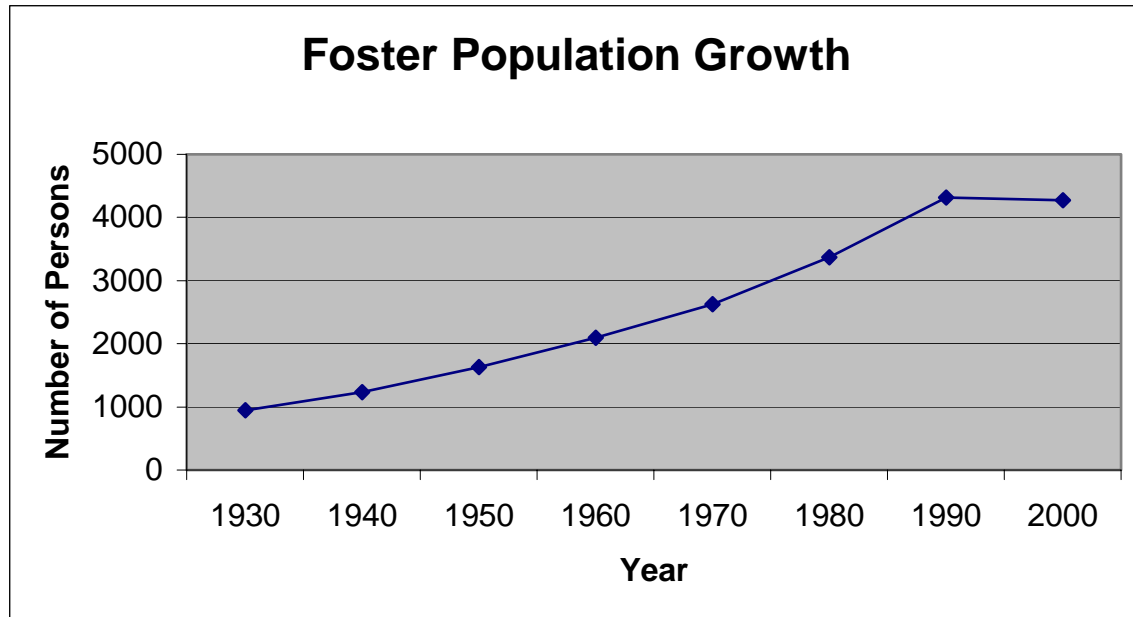
⁸ Ibid.

⁹ Statewide Planning Program and the US Census 2000.

Year	Population	Percentage Change
2000	4,274	-0.97%

Source: Statewide Planning Program, 2001

Figure 1
Foster Population Growth



While 2000 saw a decline, the town's population saw steep increases for the past 70 years leading to the apparent leveling off in 2000.

It is likely that there was an undercount in the Town's population from 1990 to 2000. Table 2 of this study shows that in that same period more than 600 dwelling units were added to the Town's housing stock. In 1980, there were 1,132 dwelling units in Foster, according to the US Census. In that same year, the population was 3,370. The ratio of persons per dwelling unit was about 2.97. Within the next ten years, the population grew to 4,316 with about 1,529 dwelling units. The ratio of persons per dwelling unit dropped to 2.82. In 2000, the census bureau counted 1,578 dwelling units. However, if all the building permits granted in that same period were counted, there would have been over 1,700 dwelling units. At a ratio of 2.82 persons per dwelling unit, the population would have been over 4,800. So instead of losing population, the town would have been growing, just as most indicators would have demonstrated.

Table 2 below shows that the 2000 population was actually closer to the 4,800 marks rather than the 4,274 count by the US Census.

From 1973 to 2002, the number of building permits issued fluctuated. See Figure 3. With all the variations, the median value is 24 permits per year. If that projection were to hold through to 2010, the Town of Foster can expect its housing stock to rise to 1,948 which in turn can be translated to a population of over 5,500. Of course this figure could rise if the number of annual permits were to exceed 24 per year or if there is a spike in popula-

tion due to a single large housing development. Or that projected figure could be less if the town were to adopt growth management techniques that would avoid spikes in the number of permits through a system of permit quotas or phased development.

Table 2
Foster Population Estimates and Projection

Year	Dwelling Units	Population
1980	1,132	3,370
1990	1,529	4,316
2000 Estimated	1,709	4,824
2010 Projected	1,948	5,499

The census bureau provides data by age group: 18 years and under versus 18 years and older. Table 3 and Figure 2 below shows the fluctuations in the school-age population in Foster.

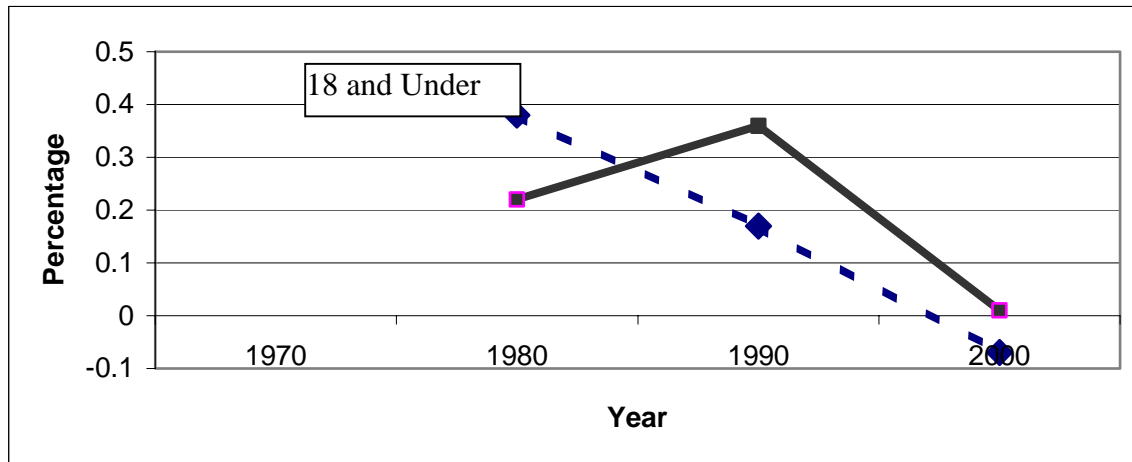
Table 3
Population by Age Group

Year	18 Years and Under	Percentage Change	18 Years and Older	Percentage Change
1970	735		1,891	
1980	1,016	38%	2,309	22%
1990	1,185	17%	3,131	36%
2000	1,105	-7%	3,169	1%

Source: Statewide Planning Program.

It is worth noting that the school age population had a lower rate of growth than the adult population from 1980 to 1990 and had an even steeper drop in 2000. The trends are illustrated in the chart below.

Figure 2
Percentage Change by Age Group



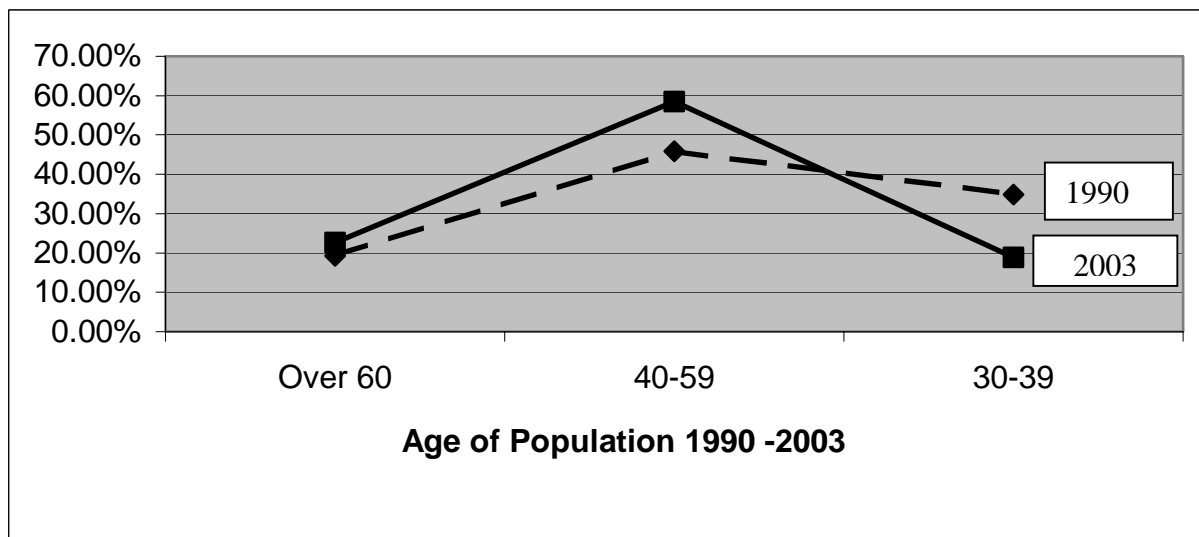
The following table and chart represent a survey conducted by the Town in Summer of 2003. 1,725 surveys were mailed out and 706 or 41% were returned. The results indicate that the Town's population is aging from 1990 to the present. Both the over 60 and over 40 groupings rose while the under 39 group decline in numbers.

Table 4
Foster 2003 Town-Wide Survey

	1990		2003	
AGE	Over 60:	19.2%	Over 60:	22.7%
	40 – 59:	45.9%	40 – 59:	58.5%
	30 – 39:	34.9%	30 – 39:	18.8%

Source: Foster Town Survey, Summer 2003, results tabulated by Colette Matarese.

Figure 3
Foster 2003 Town-Wide Survey



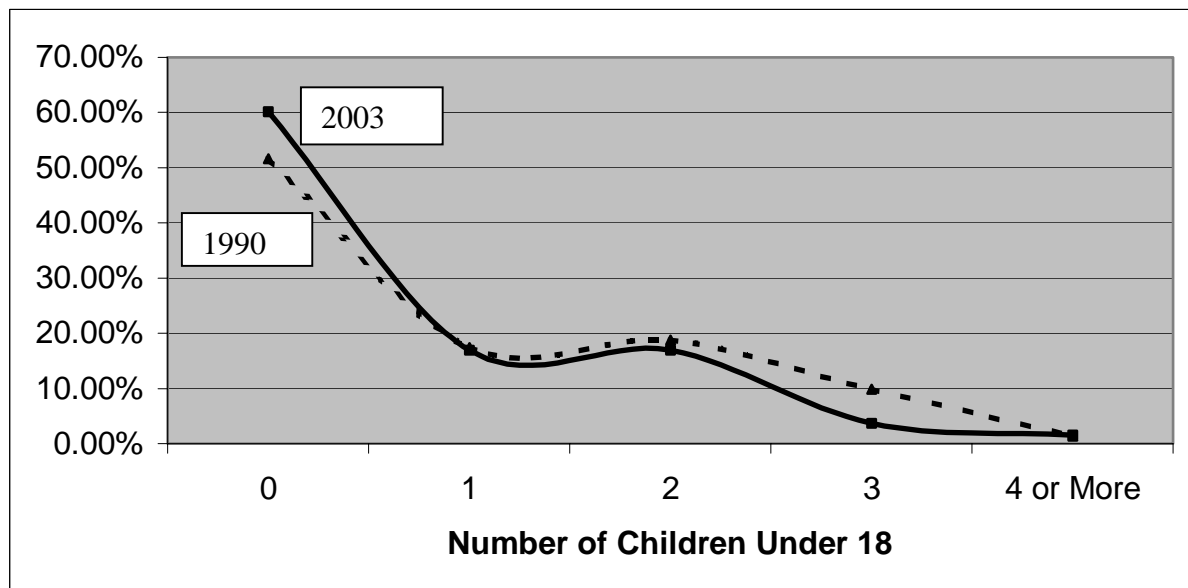
The same survey, as represented by the Table 5 and Figure 4 below demonstrate that the Town's under 18 population has also been declining. In 1990, the household with no school age children was over 50% of the total population. Now it's over 60%, while households with children dropped in all age groups, except for those with 4 or more children which rose slightly.

Table 5
Foster 2003 Town-Wide Survey

	1990		2003	
NUMBER OF CHILDREN AT HOME UNDER AGE 18	0	51.6%	0	60.1 %
	1	17.4%	1	16.9 %
	2	18.8%	2	16.9%
	3	9.9%	3	3.7%
	4 or over:	1.4%	4 or over:	1.5%

Source: Colette Matarese

Figure 4
Foster 2003 Town-Wide Survey



The Town supplied the number of single family building permits that were issued from 1973 to 2001. This is tabulated below:

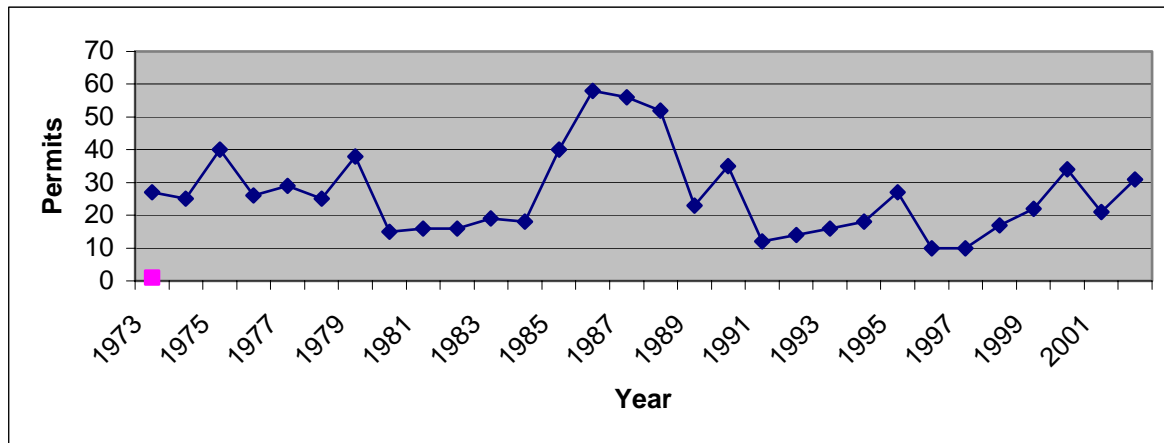
Table 6
Building Permits
1973 to 2001

Year	New Homes
1973	27
1974	25
1975	40
1976	26
1977	29
1978	25
1979	38
1980	15
1981	16
1982	16
1983	19
1984	18
1985	40
1986	58
1987	56
1988	52
1989	23
1990	35
1991	12
1992	14
1993	16
1994	18
1995	27
1996	10
1997	10
1998	17
1999	22
2000	34
2001	21
2002	31

Source: Building Inspector

Building activity in the Town of Foster essentially have reflected economic cycles, as seen in Table 3 and the corresponding chart, below. From 1973 to 1984, there were peaks and dips, but a major spike occurred from 1985 onwards. From 1985 to 1988, the housing market was booming and that was reflected in building activity. Through the 1990s the erratic pattern of peaks and dips have occurred.

*Figure 5
Building Permits
Single Family Dwellings
1973 to 2002*



Just as significant are both the number of lots that could be developed in the Town, and the number of subdivision lots already approved. As data from the Town Planner shows, there are 17 subdivision proposals either pending or approved resulting in 42 buildable lots. These lots already meet the requirements for residential development. The table below identifies the lots by location and stage of development.

**Table 7
Foster Subdivisions**

Plat	Lot	Road	Total Lots	Status
14	105	Danielson Pike	2	Recorded
11	89	SW Corner of Central Pike/Foster Ctr. Rd	4	Recorded
4	62 & 62B	Gold Mine Rd.	2	Recorded
16	49E & 52	Hartford Pike Route 101	2	Recorded
17	38 & 39B	159 Waterman Street	2	Needs to be recorded
7	29	142 South Killingly Road	2	Recorded
18	23B	74 Gene Allen Road	2	Recorded
18	23B-2	Gene Allen Road	1	Recorded
12	34	53 Central Pike	2	Pending
4	68	Cucumber Hill Road	2	Recorded
4	68A	Cucumber Hill Road	3	Recorded
15	48	Rams Tail Road & Danielson Pike	2	Pending
14	83 & 83A	Mount Hygeia Road	2	Pending
16	58	140A East Killingley Road	2	Recorded
2	50,51	61A Howard Hill Road	2	Recorded
18	9, 9A	Theodore Foster Road	2	Pending
4	30, A	Cucumber Hill Road	2	Pending
18	25, 23B3	Gene Allen Road	2	Pending
7	2	Kennedy, So. Killingly, & Cucumber Hill	4	Pending
Total Lots			42	

Source: Town Planner, February 3, 2003.

Although there are only 42 lots waiting for development, every two (2) dwellings will yield at least one school age child, according to historical trends in the town, as noted in the next section. That represents 23 children or a 2½ % growth in the school enrollment. This may not seem to be significant growth rate, but the Comprehensive Plan notes:

“There is more vacant land in the Town of Foster than is used by any other land use category with the exception of residential land greater than 9.2 acres. Approximately 35% of the total land comprising 11,550 acres is vacant, (i.e., no residences). Almost all of this vacant land sits in the Agricultural-Residential Zone and may be developed into 5 acre lots. A large number of vacant lots have little or no frontage. The only way some of these can be developed is through the use of new roads conforming to subdivision regulations. Maintenance of these roads will become the responsibility of the Town upon completion.”¹⁰

While a full build out analysis has not been performed, the availability of 11,500 acres poses a significant challenge to the town. The closest type of build out analysis is described in the Comprehensive Plan, below:

“The Planner's Database (Fusco, et al) provides a residential build-out of the town. This analysis, calculates the number of new housing units that could be built in town based upon current zoning regulations. It concludes that based upon the construction of an average 28 housing units per year residential build-out would occur in 2071. If the rate increased to 50 homes per year, build-out would occur by 2036. Significantly, the number of residents that build-out would bring to Foster is more than double the existing population or 9,311 people. While this population appears small for a town the size of Foster - 52 square miles - it is a significant change from the current population of 4200 people. To accommodate such growth an additional 2000 housing units will have to be built together with additional classrooms, town offices and an increase in town staff. A straight line projection is overly simplistic. As the size of the town increase in terms of population and housing units so will the rate of growth.”¹¹

Even if 20% of the land were considered not to be developable or would be used for roads, the potential exists for between 1,500 and 1,800 new homes that could be built over time. The impacts would more than double the number of school-age children in the town. Of course, there is no way of predicting how soon the available land will be developed. The Comprehensive Plan has addressed this issue, as noted in the quote below:

“Significantly, Foster has not been subjected to the scale of standard subdivision development that many of its neighboring communities have closer to the Providence Metropoli-

¹⁰ Foster Comprehensive Plan, 1991, Land Use, page 45.

¹¹ Foster Comprehensive Plan, 1991, Growth, Population and Development, Residential Buildout, Page 24.

tan Area. The future, however, is likely to bring increased pressure to subdivide the back land. Currently Foster's zoning and subdivision regulations, based upon conventional "suburban-type" land development, encourage sprawling patterns of residential development similar to that found in East Greenwich, Barrington, western Cranston, and Warwick. The prototype of the future for back lots, based upon current regulations, is Bridle Path Estates located off Plainfield Pike. The Citizens Advisory Committee (CAC) working on this Plan found this type of development to be out of character with their vision of Foster and its future."¹²

B. Municipal Costs

The Town of Foster's costs of public education is shared by Glocester, in the regional system and by the state of Rhode Island, to the extent that the state provides assistance to school districts. The Town's revenues are mostly derived from the property tax. Table 8 below shows that, on average, the Town's reliance on the property tax has been at about 85% for the past decade.

Table 8
Foster Budget Revenues
1993 - 2002

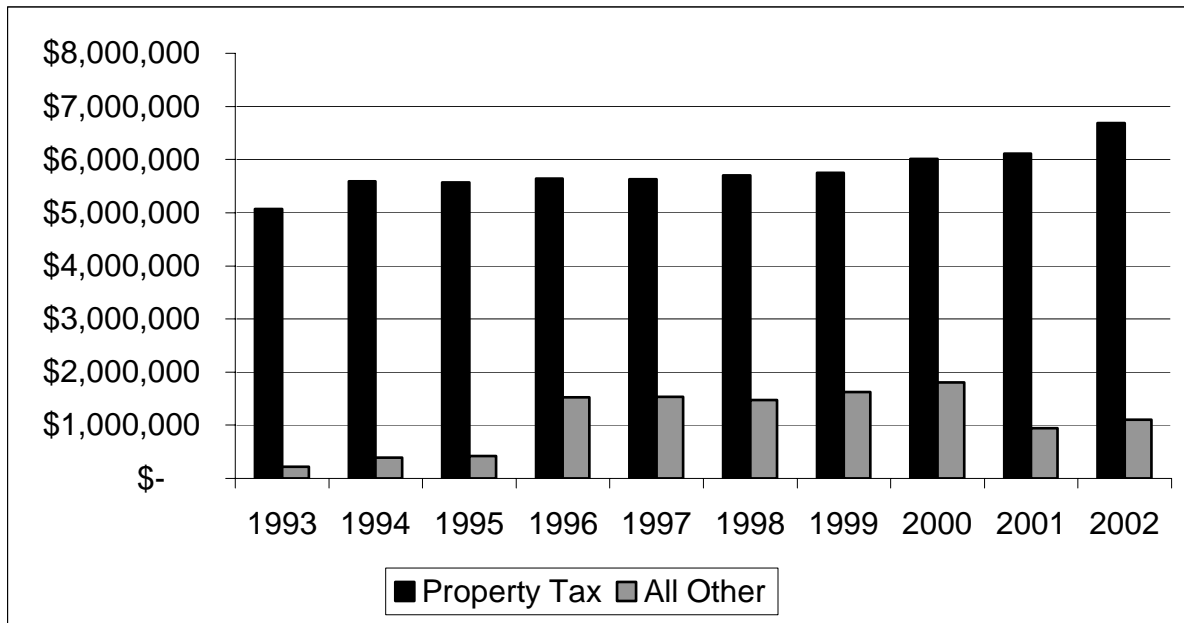
Year	Property Tax	All Other	Total	Percentage to Property Tax
1993	\$ 5,065,832	\$ 220,809	\$ 5,286,641	96%
1994	\$ 5,593,127	\$ 388,687	\$ 5,981,814	94%
1995	\$ 5,567,200	\$ 421,281	\$ 5,988,481	93%
1996	\$ 5,637,503	\$ 1,528,415	\$ 7,165,918	79%
1997	\$ 5,636,000	\$ 1,536,474	\$ 7,172,474	79%
1998	\$ 5,697,031	\$ 1,473,809	\$ 7,170,840	79%
1999	\$ 5,747,353	\$ 1,623,937	\$ 7,371,290	78%
2000	\$ 6,009,105	\$ 1,802,404	\$ 7,811,509	77%
2001	\$ 6,115,700	\$ 938,663	\$ 7,054,363	87%
2002	\$ 6,684,039	\$ 1,107,272	\$ 7,791,311	86%

Source: Town of Foster

These data are illustrated in the figure below:

Figure 6
Foster Budget – Revenues
1993 - 2002

¹² Foster Comprehensive Plan, 1991, Land Use, page 45.



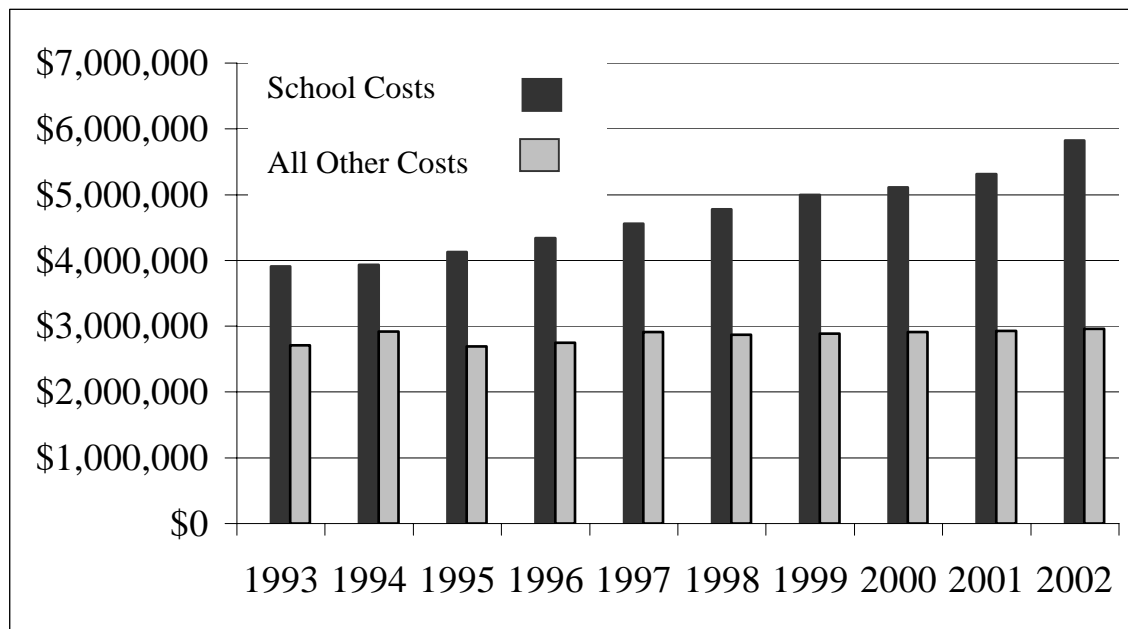
Although there is a high reliance on the property tax, the Town's resources are not heavily taxed by the school system. Unlike most communities in Rhode Island, Foster spends less than half of its annual budget on schools. The table and figure below illustrate that for the most part, Foster spent in excess of 60% of its operating budget on schools.

Table 9
Foster Budget Expenditures
1993-2002

Year	Regional School	Paine School	All Other	Total	School %
1993	\$1,520,907	\$2,384,928	\$2,706,505	\$6,612,340	59.07%
1994	\$1,509,350	\$2,425,428	\$2,917,985	\$6,852,763	57.42%
1995	\$1,600,694	\$2,525,428	\$2,691,544	\$6,817,666	60.52%
1996	\$1,713,002	\$2,627,903	\$2,751,813	\$7,092,718	61.20%
1997	\$1,760,857	\$2,800,979	\$2,913,067	\$7,474,903	61.03%
1998	\$1,873,324	\$2,906,430	\$2,868,192	\$7,647,946	62.50%
1999	\$1,970,220	\$3,022,601	\$2,886,541	\$7,879,362	63.37%
2000	\$2,022,744	\$3,089,944	\$2,908,508	\$8,021,196	63.74%
2001	\$2,124,433	\$3,189,829	\$2,926,068	\$8,240,330	64.49%
2002	\$2,537,480	\$3,284,032	\$2,963,074	\$8,784,586	66.27%

Source: Town of Foster

Figure 7
Foster Budget Expenditures
1993-2002



C. Impacts on Public Education

It is a well-established fact that single family households cost more in education services than they pay in property tax. The Urban Land Institute (ULI) published a report on development impacts in 1994 and updated it in 1997. The report notes that the *American Housing Survey* (AHS) conducted by the Bureau of the Census for the Department of Housing and Urban Development (HUD), revealed that single-family housing yielded 1.3 school-age children and, on average, 0.722 school-age children for all single-family houses.¹³

In 1980 there were 1,132 housing units in Foster. By 1990, the figure grew to 1,529 housing units. In 2000, there were an estimated 1,578 housing units in the Town, a growth of about 3%.¹⁴ However, as was shown in this report, the Census Bureau may have undercounted the Town's housing stock. If the number of permits were added to the 1990 housing stock, the Town's number would be over 1,700 dwelling units. The Town of Foster shares a regional school district with the Town of Gloucester at the middle and senior high school levels. The regional school district had 1,699 pupils for school year 2002/03.¹⁵ Foster pupils comprised 526 of the regional school system while Gloucester included 1,171 pupils. The Foster school district had 385 pupils for school year 2002.

While there are 911 pupils in the town in 2002, the last housing unit count available is for 2000. In that year, the town's school-age population was also 911 (500 in the middle and high schools and 411 in Paine Elementary). So the town-wide ratio is 0.5330 pupils per unit. This figure is on the low side when compared with national averages. The ULI

¹³ Burchell, Listokin and Dolphin, et al *Development Impact Assessment handbook*, 1997, (Urban Land Institute), page 293.

¹⁴ US Census, Community Profile.

¹⁵ Kenneth J. Grew, PhD, Superintendent of Schools, October 8, 2002.

study showed that the Northeast states yielded 0.8738 pupils for 4-bedroom units, 0.6445 pupils for 5-bedroom units and 0.7119 pupils for a blended (all bedrooms) units.¹⁶

Foster's overall ratio of 0.5330 appears low and may not reflect an accurate picture of school-age children per single family dwelling unit. Since this study is concerned primarily with municipal impacts of growth on public schools, the ratio of 0.5330 will be used in the growth management formula at the end of this report.

B. School Enrollments and Capacity

The Town of Foster shares a regional school district with the Town of Gloucester at the middle and senior high school levels. The regional school district had 1,699 pupils for school year 2002-2003. Foster students comprise between 30% and 31% of the student body for a total of 524 pupils.

The following tables provide the number of pupils by grade.

Table 10
Foster-Glocester School District
Ponaganset High School Enrollment

Year	Grade 9		Grade 10		Grade 11		Grade 12		Total	TOTAL
	Foster	Gloucester	Foster	Gloucester	Foster	Gloucester	Foster	Gloucester	Foster	ALL
1989	43	115	45	132	52	103	42	113	182	645
1990	42	113	44	133	51	100	42	110	179	635
1991	59	149	52	88	38	99	47	127	196	659
1992	60	149	50	88	38	101	44	125	192	655
1993	56	137	49	118	56	141	47	84	208	688
1994	58	127	52	129	49	120	52	139	211	726
1995	58	162	56	134	48	128	50	129	212	765
1996	63	154	59	156	52	132	46	129	220	791
1997	62	146	58	151	52	125	43	127	215	764
1998	68	159	69	160	58	143	56	151	251	864
1999	73	174	66	157	70	150	62	142	271	894
2000	61	161	75	169	65	141	70	145	271	887
2001	66	177	60	147	70	165	63	133	259	881
2002	67	176	61	148	69	161	60	128	257	870
2003	75	162	79	154	72	174	65	144	291	925

Source: Town of Foster

Table 11

¹⁶ Burchell, Listokin and Dolphin, et al *Development Impact Assessment handbook*, 1997, (Urban Land Institute), page 296.

**Foster-Glocester School District
Ponaganset Middle School Enrollment**

Year	Grade 6		Grade 7		Grade 8		Total	TOTAL
	Foster	Glocester	Foster	Glocester	Foster	Glocester	Foster	ALL
1989	59	113	48	142	52	94	159	508
1990	62	112	49	144	50	94	161	511
1991	64	124	57	131	54	71	175	501
1992	64	124	55	127	53	117	172	540
1993	58	138	59	157	58	128	175	598
1994	64	149	55	137	57	156	176	618
1995	60	135	60	151	60	142	180	608
1996	66	152	54	142	59	149	179	622
1997	66	160	60	146	61	153	187	646
1998	52	176	57	155	70	165	179	675
1999	82	158	64	171	58	167	204	700
2000	67	154	78	161	65	178	210	703
2001	84	181	69	161	84	159	237	738
2002	87	171	69	163	86	159	242	735
2003	80	142	90	176	91	176	261	755

Source: Town of Foster

**Table 12
Foster School District
Paine Elementary School Enrollment**

	Total	K	Gr 1	Gr 2	Gr 3	Gr 4	Gr 5
1983	264	46	54	49	35	35	45
1984	263	38	53	49	45	39	39
1985	279	50	46	52	46	48	37
1986	317	58	61	47	57	45	49
1987	339	50	76	61	47	64	41
1988	368	60	72	63	63	48	62
1989	358	51	77	62	56	62	50
1990	374	71	61	63	61	54	64
1991	355	52	73	54	62	59	55
1992	375	65	61	62	63	67	57
1993	388	66	69	60	63	62	68
1994	384	48	85	55	65	67	64
1995	385	58	67	71	57	61	71
1996	386	62	71	61	72	61	59
1997	400	63	70	72	63	72	60
1998	399	54	66	74	70	63	72
1999	408	55	61	72	83	75	62
2000	411	46	59	63	78	82	83
2001	402	57	51	63	68	80	83
2002	386	51	64	50	70	70	81

Source: Aharonian & Associates, *Conceptual Design Options, Building Feasibility Study for the Foster-Glocester Regional School System*

The combined systems saw an average growth rate of about 1.5% to 1.6% annually. In a report released on August 5, 2003, the following observation was made with respect to enrollment. “From 1983-1988 the total enrollment of Foster Elementary School was 264, 263 279, 317, 339, and 368 respectively. These enrollment figures show that the total enrollment jumped 39% for this period of time. Unlike the previous years the enrollment for 1988 to 2002 show enrollment up only 10%. In ten of the years kindergarten enrollment was higher than the birth cohort. Only two of 14 [years] (1989 and 1991) was the birth cohort significantly higher than the kindergarten rate. The enrollment between kindergarten and grade 1 increased an average 8.5% as a result of enrollment from non-public kindergarten and children moving into the community.”¹⁷

The total number of Foster students in the regional system and the local elementary school numbers 910 students. In terms of capacity, the Paine School is almost at capacity with 400 available seats serving 386 students. The Foster-Glocester is presently over capacity. With a capacity of 735 seats, the middle school is already at 766, a deficit of 31 seats. The matter is more serious at the high school, where 800 seat capacity has to accommodate 933 students. The overall deficit in all three schools is at about 150 seats. The table below notes the capacity situation.

Table 13
Foster Public Schools Capacity

	Capacity	2002-2003	Difference
Paine Elementary	400	386	14
Foster-Glocester Ponaganset High	800	933	-133
Foster-Glocester Ponaganset Middle	735	766	-31
Total	1,935	2,084	-150

Source: Aharonian & Associates, *Conceptual Design Options, Building Feasibility Study for the Foster-Glocester Regional School System*

If capacity is not increased at all levels, the situation gets worse over time. In a study for the Foster-Glocester Regional School System prepared by Aharonian & Associates, Inc., dated August 5, 2003, the high school will see an enrollment increase to 1,115 in ten years, 1,334 in twenty years and 1,459 in twenty-five years. Likewise, the middle school will see an enrollment increase to 890 in ten years, 1,034 in twenty years and 1,114 in twenty-five years.¹⁸ With a similar growth rate at the Paine Elementary school, the two school systems will likely see a ten year enrollment increase of 470 students.

For the purposes of this study, the deficit of 150 seats does not apply to Foster alone; it includes the regional district. Based on the approximate 70-30 split between Glocester and Foster, the actual deficit will be 30% of the High and Middle School deficit, (or -133 + -31 = -164 x 30 % = -49 seat deficit). Combined with the elementary school surplus of 14, the working deficit that this study addresses is -35.

¹⁷ Aharonian & Associates, *Conceptual Design Options, Building Feasibility Study for the Foster-Glocester Regional School System*, August 5, 2003, pages 3-16.

¹⁸ Ibid., pages 3-13 to 3-17.

The deficit will continue to mount in the next ten years as the high school population rises to 1,115 and the middle school to 890 students. Using the same analysis, the high school will have a deficit of 315 seats; and the middle school will be short 155 seats. The combined 470 seat deficit will cause Foster to be short 141 seats, assuming the 30% split will remain through the next ten years. For a relatively small school system, the shortfall will be at about 30 of current capacity. In other words, the school system will have to expand it's capacity by 30% in ten years to even keep pace with the apparent slow population growth. The real unknown is what might happen if there is a large growth spurt as the region and country emerge out of the current recession.

The current school facilities are well documented in the Aharonian study. It notes that "the lack of space permeates throughout the school and is not limited to any specific area or department... the school is functioning at 16% over capacity. Rhode Island Department of Education (RIDE) recommends that High Schools function at 80% capacity. Without any increase in population, the school is presently functioning 36% beyond RIDE guidelines."¹⁹ The study goes on to note that "the lack of space is the most urgent problem in the middle school...(although)...it is not as severe in the high school, but soon will be..."²⁰

To address the problems, the Aharonian report provides two options. (A third option of doing nothing is unacceptable because that would degrade the quality of education). Option A is the dual-campus approach whereby the regional school district would purchase new property and construct a brand new middle school campus. Option B is the single-campus approach that would accommodate the entire increase in student population within the existing campus. It would include a series of additions and extensive interior modifications to accommodate the growth in enrollment. For purposes of this study, it is interesting to note that both options carry a fairly close price tag: \$45.71M for Option A and \$44.58M for Option B. The former includes allowance for land acquisition and both options include furnishings, inflationary increases, athletic fields, and debt service.²¹

Of those costs, the state will pick up 54% of the facilities cost, which is rounded to \$45M. The balance of \$24.3M will be split between the two towns, with Foster's share at 33.85% or \$8.226M. With a 20 year bond of 3.75%, the town's annual contribution will be \$585,000 per year for twenty years.

C. Recommendation

To address projected shortfalls in school capacity the Town of Foster has the option to enact a growth management plan and ordinance. This will entail issuing a finite number of building permits on an annual basis, but spread out for each quarter. While the number may be adjusted from one quarter to the next, it is likely that the number will be constant, at least for the first year or two.

The proposal is to enact an ordinance that will implement a formula that determines the number of permits over forty calendar quarters, i.e. ten (10) years, that reflects

¹⁹ Ibid., page 4-31.

²⁰ Ibid., page 4-45.

²¹ Ibid., pages 9-1 through 9-10.

- the School District's plan to increase school capacity over the time period, and
- the ratio of pupils-per-dwelling unit as determined by this study.

The School District has a consultant report with recommendations to spend up \$45M to increase the school system's capacity. This plan was just presented to the two town's and has not yet been adopted as local policy. Moreover, the plan is for the regional system and does not address the elementary school situation. The formula proposed below can take into account future capacity as the Town's policy evolves.

This recommendation will implement the following formula:

$$P = S \div R \div Y$$

P - Permits issued per quarter.

S - Seats available.

R - Ratio of school age children per dwelling unit.

Y - Year, in this case – ten years.

Example:

- The Foster Elementary School system currently has a modest surplus (S) of 14 seats. However Foster's share of the Regional district is -49 which comes to -35 when combined with the surplus of 14. So S = -35 now and -141 in ten years, if nothing is done to increase capacity.
- To meet minimum requirements, at least 141 new seats must be added to bring over-all capacity to maintain current growth rates.
- Divide S by the ratio 0.5330 (R) to equal the optimum number of dwelling units to keep up with current growth.
- Divide optimum number of dwelling units by 10.

The permit quota would change if the anticipated capacity increase goes up or down, or if the time period is more than or less than 10 years. But for the sake of consistency, this study will assume that the School Department's capacity and time-frame of ten years are reasonable expectations. In calculating the permit quota in future years, the number shall be rounded to the nearest whole number.

If the Aharonian recommendations are adopted and the school capacity expands by at least 470 seats throughout the system, Foster's share of new capacity will equal the projected ten year deficit of 141 seats. Using the formula above, the town should limit building permits to no more than 26 per year. In 2002, the town issued 31 permits, but in

past years, the permits have averaged around 24 or 26. From highs of 58 in 1986 to 10 in 1996 and 1997, the average is about 26.

4. CAPITAL IMPROVEMENT PROGRAM

Growth management techniques do not apply to schools alone, although the schools represent the largest impact on the town's finances. Growth also affects other town services such as public safety facilities, roads, recreation and open space facilities and libraries. To consider one or more impacts arising from other municipal functions, the town needs to adopt a capital improvement plan and program.

A capital improvements program (CIP) is simply the scheduling of capital improvements over several years. The multiyear CIP has an annual "capital improvements budget" component that sets forth the actual capital expenses for each fiscal year. The Planning Board has the responsibility of recommending the multiyear CIP. The Town Council has the final say by formally adopting the multiyear CIP and the annual capital budget. Preparation of the CIP is based on studies of the Town's fiscal resources and the needs for specific improvements to be constructed for a fixed period into the future. The capital budget is the one-year budget that becomes part of the Council's adopted annual budget. The longer-term CIP commits the Town to a program of expenditure, but is allowed some flexibility when the actual annual budget is fixed.

Capital improvements includes new or expanded physical facilities that are large, expensive, and permanent. Examples include Town Hall, public safety buildings, schools, roads, public libraries, and park and recreation facilities. There is an important fiscal principle underlying the distinction between capital and non-capital expenditures. The distinguishing features between capital and non-capital or operating expenses are as follows:

Capital Expenses

- Costs considerably more than the Town is able to appropriate in any one year.
- Costs that require borrowing.
- Costs that do not occur frequently - usually a one-time expenditure, even if spread out over several years.
- Costs for physical facilities that will last a long time.

Operating Expenses

- Costs for on-going functions of government, such as personnel, supplies and the like.
- Costs that are appropriated each year.
- Recurring costs each year.
- Costs for equipment or services needed each year.

The CIP preparation process requires the active collaboration of all Town departments with special roles by the Town Treasurer and Town Planner. The Town Council has the responsibility of assuring 100% compliance from department heads in establishing needs for capital expenditures. The Town Treasurer is charged with the fiscal analysis to ascer-

tain the Town's capacity to sustain or extend its bonded indebtedness through the CIP's time-frame. The Town Planner is responsible for the coordination of the process and ascertain compliance with the Comprehensive Plan. The roles of the Town personnel to prepare and implement a CIP will be clearer after understanding the following basic steps: Process, procedure, and criteria.

A. CIP Process

The process should be organized and straightforward. A committee appointed by the Town Council should convene to organize the process. This committee's role is technical and administrative in nature, as opposed to policy or decision making that is set by the Town Council with recommendations from the Planning Board. So for reference, we'll call this the technical committee. The first task is to select those items that will be included in the CIP. The most obvious are those that will also benefit from impact fees that were discussed above. A suggested list include:

- School facilities, i.e. buildings, playgrounds, and support facilities;
- Acquisition of land for municipal functions including conservation of natural resources, open space, and recreation;
- Construction of recreation facilities, including playgrounds, community centers and the like;
- Construction or reconstruction of roads, bridges and right-of-way improvements, including matching state and federal funds, if applicable;
- Construction of public buildings or expansion, such as Town Hall, public safety facilities and the like;
- Public safety apparatus such as fire, ambulance and police vehicles, (considered capital in cases of fleet replacement or expansion of fleet, but not for individual replacement of parts or an occasional vehicle purchase); and
- Costs associated with any of the above, including architectural/engineering fees, environmental assessments, feasibility studies, appraisals and legal fees associated with land acquisition, and the like.

There may be other capital expenses that the Town may want to consider. There are some border-line capital project costs such as computer hardware and individual police cruisers. Replacement computers and printers are definitely not capital, but if the Town were to embark on a complete revamping of its computer system, it may qualify as capital. Likewise, adding replacement cruisers for a worn-out or damaged vehicle are not capital unless the Town is embarking on a fleet replacement or similar action that significantly upgrades public safety capability. The criteria are the same: it must be long-lasting, too expensive to fund on an annual basis, and requires a one-time infusion of funds even if it takes many years to build.

Once the list is finalized, the committee should establish general goals, subject to policy decisions by the Town Council with recommendations by the Planning Board. The goals should make direct references to the Comprehensive Plan. For example, if one of the goals is to conserve natural resources or preserve open spaces, there are references in the Comprehensive Plan that support such goals. The CIP must have written documentation to that effect.

Thus, the first part of the CIP should be a written declaration of goals, a listing of the capital projects, such as new school facility, land acquisition, park facility, road construction, and the like. These should be accompanied with statements of compliance with the Comprehensive Plan.

B. CIP Procedure

The second part of the CIP is the “CIP Project Request Form” that each Town department head must submit. These are not simply “wish lists” that tend to be the norm in most towns. To avoid the unstructured approach of the past, it is necessary to devise “CIP Project Request Forms,” that is prepared by the technical committee. A suggested form below should ask for the following information:

CIP Form Title	<i>Comment</i>
• Department Name	
• Project Title	
• Project Location	<i>Town-wide or specific location.</i>
• Status	<i>New project or continuing project. This element must be updated each year for continuing projects.</i>
• Project Goal	<i>Relationship with Town’s goals as expressed in the first part of the CIP.</i>
• Project Objectives	<i>What you hope to accomplish as an end result. Include milestones for each year for multiyear projects.</i>
• Time Frame	<i>One year or multiyear project. Give project starting date and expected completion date.</i>
• Compliance with Comprehensive Plan	<i>Make references to specific elements of the Comprehensive Plan and explain how and why the project is in compliance. If a project is clearly not in compliance, a note should be attached recommending that the Comprehensive Plan be amended, if needed. Note that the process for amending the Comprehensive Plan is lengthy, requiring Planning Board and Town Council approvals along with public hearings and community</i>

CIP Form Title	Comment
	<i>input.</i>
• Total Project Cost	<i>For example, for a school facility project include A/E costs, land acquisition, if any, legal fees, appraisals and estimated construction costs. For land acquisition for open space, include appraisals, fees and other related costs.</i>
• Planned Financing	<i>Town costs vs. State and/or federal share, grants and the like.</i>
• Method of Financing	<i>General obligation bonds or other means.</i>
• Timing	<i>Project over whatever time frame is required. Some projects may be only a one year, one-time cost, such as buying a piece of land for open space. A school may take several years. It is important to project cash needs for each year. For example, A/E, appraisals and legal costs in year one, phased construction in years two and three, etc.</i>
• Other	<i>This part of the form can be used to describe any unusual or unexpected requests that may not fit in the normal CIP.</i>

Once the request forms are filled out and submitted to the technical committee, the information should be summarized in a data base or spreadsheet format, such as Access or Excel. In most cases, the requests for capital improvements will no doubt exceed the Town's ability to fund them all. The technical committee will have to place the requests in perspective and analyze them for the Planning Board and Town Council to make policy decisions on what gets funded and what is put off or rejected altogether. The analysis of the requests should generally be as follows:

Town Council (representative or delegate) - To determine if the requests are in line with previously stated Town Council policies. For example, the highway department may request roadway re-paving in excess of previously stated Town policy. That department must resubmit a realistic request that is in keeping with past practices or policies.

Town Planner - To determine compliance with the Comprehensive Plan and ascertain whether or not the request makes "planning sense." For example, acquiring parcels to expand recreational areas may make more sense than acquiring isolated lots that may take years to assemble for park or open space purposes.

Town Treasurer - To determine the fiscal impact of the requests. The CIP that is submitted to the Planning Board and Town Council must be realistic in terms of annual appro-

priations and debt service on borrowing. The projections should be spread out over five years into the future and must be considered in light of the Town's operating budget for each year. Multiyear projects obligate the Town to multiyear bonded indebtedness that may last long after a specific project is complete. This fiscal analysis is extremely important because it will be the basis of calculating a development impact fee that can mitigate the cost of development to tax payers.

C. CIP Criteria

Finally, the technical committee will assemble the draft CIP to be submitted to the Planning Board and Town Council. The assumption will be that the CIP is reasonable, that it meets specific Town goals and objectives, that it is realistic in terms of fiscal impact, that its components can be funded and built within the planned time frame and that it is in compliance with the Comprehensive Plan. In the final analysis, the decision makers are the members of the Town Council. However, the Planning Board serves a pivotal role in recommending the CIP based on a predetermined set of criteria. These criteria must be

- Need for the project(s),
- Relationship to stated goals and specific objectives,
- Compliance with the Comprehensive Plan, and
- Fiscal capacity to fund all the projects in the CIP from year to year.