

**PLANNING BOARD SPECIAL MEETING AGENDA**  
**TOWN OF FOSTER**  
**Benjamin Eddy Building, 6 South Killingly Road**  
**Thursday, December 7, 2023**  
**7:00 p.m.**

A. Call to Order;

B. Roll Call;

C. Approval of Minutes;

*Discussion/Action*

1. November 1, 2023
  2. November 15, 2023
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**D. Applications:**

*Discussion/Action*

D1. Minor Subdivision – Preliminary Plan Review

Applicant: Borders Farm Preservation, Inc.  
Owner: BORDERS FARM PRESERVATION, INC.

Applicant proposes to subdivide an existing lot with two houses pursuant to Sec. 38-229 at 69-69A Central Pike Plat 12 Lot 30. Property is zoned A/R (Agricultural/Residential)

D2. Minor Subdivision – Preliminary Plan Review

Applicant: Bergantino, Scott  
Owner: Bergantino, Scott

Applicant proposes to subdivide an existing lot Resulting in the creation of one new lot.  
A single-family residence, well and septic are Proposed on the new lot.

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**Old Business:**

E. Future land use plans:

*Discussion*

- Discussion of plans for the Nike site (located at the end of Theodore Foster Road), Woody Lowden Recreation Center (Plat 2 Lot 62), LMI Housing, and development options for Plat 20 Lot 9.
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## **F. Public Hearing – Subdivision Regulations:**

*Discussion/Action*

### 1. Sec. 32-3 – Effective Date

- Recommendation to state that regulations have been brought into effect with RIGL 45-23 as amended on January 1, 2024.

### 2. Sec. 32-4 - Vested rights; continuation of prior regulations

- Recommendation to include citations to amendments in vested rights for major land developments and for development plan review.

### 3. Sec. 32-161 – Minor land development and minor subdivision

- Recommendation to amend minor land development and subdivision regulations pursuant to RIGL 45-23-38 as amended.

### 4. Sec. 32-181 – Pre-application meetings and concept review; general procedure

- Recommendation to include citations from RIGL 45-23-35(b) regarding preapplication meetings.

### 5. Sec. 32-182 – Preapplication meeting with planning board

- Recommendation to include optional informal concept review with the planning board or technical review committee if requested by the applicant pursuant to RIGL 45-23-35(b).

### 6. Sec. 32-183 – Master plan submission requirements

- Recommendation to amend master plan submission requirements for major subdivisions pursuant to RIGL45-23-39 as amended.

### 7. Sec. 32-184 – Preliminary plan submission requirements

- Recommendation to amend preliminary plan submission requirements for major subdivisions pursuant to RIGL45-23-39 as amended.

### 8. Sec. 32-185 – Public hearing and notice requirements

- Recommendation to amend public hearing and notice requirements for major subdivisions pursuant to RIGL 45-23-39 and 45-23-42 as amended.

### 9. Sec. 32-186 – Final plan; submission requirements

- Recommendation to amend final plan submission requirements for major subdivisions pursuant to RIGL45-23-39 as amended.

### 10. Sec. 32-333 – Public hearing notification requirements; mail

- Recommendation to eliminate the requirement to send notice of amendment of this chapter to the division of statewide planning because it is not a requirement under RIGL

### 11. Sec. 32-48 – Recording of plats and plans

- Recommendation to eliminate the “zoning board of review” from association with special-use permits and variances. The zoning board of review is still authorized to grant

special-use permits and variances. The planning board is also authorized to do so under RIGL 45-24-46.4.

12. Sec. 32-222 – Road; road design standards

- Recommendation to restrict future road construction to private roads. Recommendation to eliminate dead end roads being limited to 1,200 feet in length.

13. Sec. 32-297 – Minor subdivisions involving road creation or extension

- Recommendation to reduce number of lots created in a minor subdivision from five (5) to nine (9) and for future road construction to be limited to private roads.

14. Sec. 32-299 – Major subdivision involving road creation or extension

- Recommendation to increase number of lots created in a major subdivision from six (6) or more to ten (10) or more and for future road construction to be limited to private roads.

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**G. New Business – Ch. 12 Businesses**

*Discussion/Action*

1. Sec. 12-48 – Requirement for issuance/renewal of all business licenses excepting home businesses

- Recommendation to require a dumpster for businesses.

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**H. New Business – Ch. 8 – Animals**

*Discussion/Action*

1. Sec. 8-216 – Classes

- Recommendation to remove Class A Kennel licenses. These licenses were formerly issued for racing dogs, which are no longer legal in Rhode Island.

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**I. Old Business – Ch. 32 Subdivision Regulations**

*Discussion*

1. Sec. 32-222 Roads

- Discussion of road lengths and depths. All new roads will be recommended to be privately owned and maintained.

2. Sec. 32-297 Minor Subdivision involving road creation or extension

- Discussion of road lengths and depths. All new roads will be recommended to be privately owned and maintained. Applies to subdivisions involving road creation/extension and 9 or fewer lots.

3. Sec. 32-299 Major Subdivision involving road creation or extension

- Discussion of road lengths and depths. All new roads will be recommended to be privately owned and maintained. Applies to subdivisions involving road creation/extension and 10 or more lots.
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## **J. New Business – Ch. 38 – Zoning**

*Discussion/Action*

1. Sec. 38-3 Penalty for violation of chapter
  - Recommendation to refer to the zoning official as the zoning enforcement officer. Recommendation to increase the fine for a zoning violation offense from \$100.00 to \$500.00.
2. Sec. 38-300 Development Standards for inpatient treatment facilities (Supplementary Regulations)
  - Recommendation to add appropriate development standards for in-patient rehabilitation facilities which differ from those of senior citizens group dwellings.

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## **K. Old Business – Ch. 38 Zoning**

*Discussion/Action*

1. Sec. 38-286 – Off-street parking requirements
  - Discussion of amendment to add a licensing requirement.
2. Sec. 38-299 Septic system (OWTS) inspection
  - Recommendation to require proof of inspection to be presented to the building official upon recording of a new deed for development.

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## **Old Business:**

### **L. Article XII – Attachments: Ordinances for discussion:**

*Discussion*

1. AR-2 District
    - Discussion of a future amendment to create a residential zoning district requiring 200 feet of frontage and 150,000 square foot minimum lot sizes. Lot sizes meet the recommendations of the Scituate Reservoir Watershed Management Plan (1990).
  2. Farmland/Conservation Overlay District
    - Discussion of a future amendment to establish an area and policies for the currently reserved Farmland/Conservation overlay district. Preliminary concepts for area include the Scituate Reservoir Watershed. Preliminary concepts for permitted uses within the overlay include allowing home occupations and commercial uses on Route 6 and Route 101 only in terms of commercial uses. Agricultural/Residential uses to be permitted with DEM approval and septic system testing ordinance to be required.
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**M. Recurring business:**

*Discussion*

1. Municipal Resiliency Program (MRP)  
Application Strategy

- Update on MRP application.

2. TBA/HMP

- Update on Targeted Brownfield Assessment Program, deliverables and next steps.  
Update on Hazard Mitigation Plan
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