

**PLANNING BOARD MEETING AGENDA  
TOWN OF FOSTER  
Benjamin Eddy Building, 6 South Killingly Road  
Wednesday, February 7, 2024  
7:00 p.m.**

A. Call to Order;

B. Roll Call;

C. Approval of Minutes;

1. January 24, 2024

*Discussion/Action*

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**D. Public Hearing – Subdivision Regulations:**

*Discussion/Action*

1. Sec. 32-225 - Regulation of access; filing of request

- Pursuant to RIGL 45-22-7 and RIGL 24-8-34(b), it shall be required for any person who will be required to file a request for access, also known as a Physical Alteration Permit (PAP) pursuant to RIGL 24-8-34 to file that request not later than the day on which that person files any document in connection with the project in question with the town, and to provide a copy of the request to the town.

2. Sec. 32-301 - In General

- Recommendation to specify that Article X of Chapter 32, in addition to providing an applicant with the procedure to submit a Comprehensive Permit application, describes allowance of density bonuses including those relating to water availability and OWTS permits from DEM, parking, bedrooms, and floor area pursuant to RIGL 45-53-4 as amended.

3. Sec. 32-302 – Submission requirements – Preliminary plan review

- Recommendation to amend the submission requirements for preliminary plan review pursuant to RIGL 45-53-4 as amended.

4. Sec. 32-303 – Certification of completeness – Preliminary plan review

- Recommendation to amend the procedure for a certification of completeness at the preliminary plan stage pursuant to RIGL 45-53-4 as amended.

5. Sec. 32-304 – Pre-application conference for preliminary and final plan

- Recommendation to amend the requirements for a pre-application conference for both the preliminary and final plan stages pursuant to RIGL 45-53-4 as amended.

6. Sec. 32-305 Review of applications – Preliminary plan

- Recommendation to amend the procedure for review of applications at the preliminary plan stage pursuant to RIGL 45-53-4 as amended.

7. Sec. 32-306 – Powers of the board and/or administrative officer

- Recommendation to authorize the Administrative Officer to review Final Plan applications under a Comprehensive Permit application pursuant to RIGL 45-53-4 as amended.
8. Sec. 32-307 – Submission requirements – Final plan review
- Recommendation to add updated submission requirements for Final plans of Comprehensive Permit applications pursuant to RIGL 45-53-4 as amended.
9. Sec. 32-308 – Certification of completeness – Final plan review
- Recommendation to add procedures for certification of completeness at the Final Plan stage pursuant to RIGL 45-53-4 as amended.
10. Sec. 32-309 – Review of applications – Final plan
- Recommendation to amend the procedure for review of applications at the final plan stage pursuant to RIGL 45-53-4 as amended.
11. Sec. 32-310 – Infeasibility of conditions of approval
- Recommendation to add a procedure for the applicant to prove infeasibility of conditions of approval pursuant to RIGL 45-53-4 as amended.
12. Sec. 32-311 – Fees
- Recommendation to specify that the fees for a comprehensive permit application are the same as those required for a minor land development project or a major land development project depending on if the number of units proposed is less than 10 or equal to/greater than 10 pursuant to RIGL 45-53-4 as amended.
13. Sec. 32-312 – Recording of written decisions
- Recommendation to specify a procedure and timeline for recording of written decisions pursuant to RIGL 45-53-4 as amended.
14. Sec. 32-313 – Majority vote required
- Recommendation to specify that a majority vote is required to approve a preliminary plan for a comprehensive permit pursuant to RIGL 45-53-4 as amended.
15. Sec. 32-314 – Construction timetable
- Recommendation to add a construction timetable pursuant to RIGL 45-53-4 as amended.
16. Sec. 32-315 – Remanded applications
- Recommendation to add a procedure and timeframe for hearing remanded applications pursuant to RIGL 45-53-4 as amended.
17. Sec. 32-316 – Density bonuses
- Recommendation to add the minimum density bonuses as required by RIGL 45-53-4 as amended.

## 18. Sec. 32-317 – Definitions

- Recommendation to add definitions relating to comprehensive permit applications and LMI housing pursuant to RIGL 45-53-3 as amended.

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## E. New Business

*Discussion/Action*

### Chapter 16 – Manufactured Homes and Trailers

#### 1. Sec. 16-1 – 16-30 – Reserved

- Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.

#### 2. Sec. 16-61 - Temporary permits following damage

- Addition of provision for the Town Council to issue temporary permits for a trailer following damage, arising from fire, windstorm or sudden casualty to a permanent residence which has made such permanent residence uninhabitable.

#### 3. Sec. 16-81. - Unlicensed trailers prohibited.

- Recommendation to state that no person shall maintain or use any trailer as a dwelling unit without exceptions.

#### 4. Sec. 16-82. - Procedure for applying for initial trailer license.

- Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.

#### 5. Sec. 16-83. - Standards to govern issuance of initial trailer license.

- Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.

#### 6. Sec. 16-84. - Hearing on issuance of initial trailer license; issuance or denial of license.

- Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.

#### 7. Sec. 16-85 - Previously located trailers.

- Recommendation to state that all previously located trailers must comply with regulations in effect at the time of the initial trailer being located in the town. Additionally, the provisions of section 16-83 are added to this section, stating clearly the rules in existence in 1965 as those rules pertained to issuing initial trailer licenses.

#### 8. Sec. 16-121 – Definitions

- Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.

#### 9. Sec. 16-122 - General requirements for operation of a mobile home or trailer park.

- Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.
10. Sec. 16-123. - Sanitary requirements for operation of mobile home or trailer parks.
    - Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.
  11. Sec. 16-124. - Registration of mobile homes or trailers
    - Removal of section. Trailers can no longer be brought into Foster pursuant to Sec. 38-280.
  12. Sec. 16-125. - Existing land and area requirements.
    - Removal of section. Trailers can no longer be brought into Foster pursuant to Sec. 38-280.
  13. Sec. 16-126. - Penalties for violation.
    - Removal of section. Trailers can no longer be brought into Foster pursuant to Sec. 38-280.
  14. Sec. 16-151 – Required
    - Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.
  15. Sec. 16-152 – Application
    - Removal of section. A trailer park can no longer be created in Foster pursuant to Sec. 38-280.

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**F. New Business:**

*Discussion*

Chapter 32 – Subdivision Regulations

1. Sec. 32-45 – Enforcement; penalties for violation of chapter.
  - Recommendation to amend the enforcement of penalties of the subdivision ordinances to meet the provisions of RIGL 45-23-59.
2. Sec. 32-301 – Construction timetable – Extension.
  - Recommendation to allow for reasonable exceptions to the timeframes related to commencement and completion of land development projects and improvements associated with subdivisions that are set forth in various sections of chapter 32 pursuant to RIGL 45-23-32(51).

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**G. New Business:**

*Discussion/Action*

Chapter 24 – Planning:

1. Sec. 24-35 – Organization

- Recommendation to make the Planning Board Secretary an optional member of the Planning Board pursuant to RIGL 45-22-5(a) and this section.  
Recommendation to allow up to two (2) regular meetings of the Planning Board per month.

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**H. Old Business –**

*Discussion/Action*

**Chapter 38 - Zoning**

1. Sec. 38-192 – Dimensional Regulations

- Discussion of reducing minimum lot size for senior citizens group dwellings, multi-family residences, and the GB zoning district

2. Sec. 38-281 - Development standards for multifamily dwellings and comprehensive permit applications for affordable housing.

- Proposes removal of the MI, NC, and R-SC in continuity with the proposed amendments to Sec. 38-132 – Official Zoning Map. Proposes addition of HC2 zoning district. Proposed reducing minimum lot sizes based on DEM approval

3. Sec. 38-284 - Development standards for senior citizens group housing

- Proposes removal of the MI, NC, and R-SC in continuity with the proposed amendments to Sec. 38-132 – Official Zoning Map. Proposes addition of HC2 zoning district.

4. Sec. 38-286 – Off-street parking requirements

- Discussion of amendment to add a licensing requirement.

5. Sec. 38-290 – Regulations pertaining to animals

- Recommendation to require a waste management and removal plan for kennels in addition to the existing requirement for agricultural uses exceeding the provisions of Sec. 38-191 (Agricultural Uses – 2.A.).

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**I. New Business:**

*Discussion/Action*

1. Capital Budget

- Discussion and recommendation of Capital Budget requests received from Department Heads.

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**J. Recurring business:**

*Discussion*

1. Municipal Resiliency Program (MRP) Application

- Update on MRP workshop.

2. UConn TAB (Technical Assistance for Brownfields)/HMP (Hazard Mitigation Plan)

- Update on UConn Technical Assistance for Brownfields Program. Update on Hazard Mitigation Plan
3. MTAP (Municipal Technical Assistance)
- Discussion of LMI Housing Consultant presentation scheduled for Special Meeting on 1/24/24.

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**Old Business:**  
**Chapter 38 - Zoning**

*Discussion*

**K. Article XII – Attachments:**  
**Ordinances for 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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**L. Old Business:**  
Chapter 12 - Businesses:

*Discussion/Action*

1. Sec. 12-48 – Businesses – Dumpsters.
  - Recommendation to add a requirement for all businesses to have dumpsters unless waived by town council.

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**M. New Business:**

*Discussion/Action*

Chapter 12 – Businesses:

1. Sec. 12-1. Penalty for violation of chapter; authority.
  - Recommendation to add a one hundred dollar (\$100.00) fine as a penalty for violation of chapter 12.

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**N. New Business:**

*Discussion/Action*

Chapter 18 – Nuisances:

1. Sec 18-1- Dumpsters.

- Recommendation to add a requirement for all businesses to have dumpsters unless waived by town council.
2. Sec. 18-2. – Recyclable receptacles.
    - Recommendation to require all premises accumulating recyclables to store such recyclables in a container or receptacle.
  3. Sec. 18-32. - Penalty for violation of article; authority.
    - Recommendation to make applicable the one hundred dollar \$100.00 fine for violation of the Noise article (Article II) of chapter 18 to all articles of chapter 18.

**O. New Business:**  
Chapter 34 Taxation

*Discussion/Action*

1. Ch. 34 – Taxation - Article III – Tax Stabilization Incentive for Industrial, Commercial and Manufacturing Facilities
  - Recommendation to create a tax incentive for new/existing business located in the GB or HC2 zoning districts or any environmentally remediated property. Following certificate of occupancy, property taxes would build by annual increments of 25% until the full post-improvement rate is required to be paid.
2. Ch. 34 - Taxation – Article IV – Partial Tax Exemption for existing commercial, manufacturing, and environmentally remediated facilities
  - Recommendation to create a partial tax exemption for expansions and/or intensifications of existing commercial and manufacturing uses or uses of property that have undergone environmental remediation. Taxes would remain at the pre-improvement rate for three years following expansion or intensification of any use listed above.

**P. New Business:**

*Discussion*

Volunteers/Interns:

1. Recruiting of Recording Secretary
  - Discussion of search for Recording Secretary.
2. Grant writer – Intern
  - Discussion of upcoming grants that the Planning Board may be interested in applying for. Discussion of hiring a college student temporarily to write grants.

**Q. Old Business:**

*Discussion*

Improvements to Town Website:

1. Update on improvements to the Town website.