# ***Foster Town Council Meeting Agenda***

BENJAMIN EDDY BUILDING, 6 SOUTH KILLINGLY ROAD, FOSTER, RI 02825

**Live Stream using Zoom via Computer or Phone**

Thursday, April, 11, 2024 @ 6:00 p.m.

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 Any audio/video recordings made by the public are not public records under Title 38 Public Records.

1. **PLEDGE OF ALLEGIANCE**
2. **PUBLIC COMMENT / ANNOUNCEMENTS**
3. **CONSENT AGENDA** *disc/action*
4. Meeting Minutes for March 14, 2024
5. Approval of General Warrants FY2024 #18 $81,107.99
6. **PUBLIC HEARINGS**

**A. Hearing – Homestead Exemption disc/action** *disc/action*

1. Homestead Exemptions. Notwithstanding any other provisions of the general or special laws to the contrary, the town council may annually fix the amount of homestead exemptions with respect to assessed value from taxation on taxable real property used for owner occupied residential purposes in the town and to grant homestead exemptions to such residential real estate in an amount not to exceed forty percent (40%) of the assessed value. Any such exemption shall only apply to residential property improved with a dwelling house. Any such dwelling house shall consist of no more than four (4) dwelling units.

**1st Hearing – Amusements and Manufactured homes and Zoning** *disc/action*

1. Sec. 6-51. - Required.

Recommendation to require an event license for events having an actual or reasonably anticipated assembly of one hundred (100) or more people. Event licenses are currently only required for recreational events or amusements where a fee is charged.

2. Sec. 6-52 - Relief from zoning board of review required prior to acceptance of application.

Recommendation to remove the requirement for relief from the zoning board of review for an event license. The zoning board of review is responsible for applications for relief from the zoning ordinances for long term uses. Recommendation to retitle the section “Application Procedure” and to explain such procedure.

3. Sec. 6-54 – Notice to owners of meeting

Recommendation to require the Town Clerk to provide proof of mailing to property owners within 300 feet of the subject property at a public hearing for a recreational event or amusement. Recommendation to specify a time period for legal advertising. Recommendation to allow a waiver of a hearing to be granted by the Town council for reoccurring events.

4. Sec. 6-55 – Notice to chief of police and building inspector of meeting

Recommendation to specify that the town clerk shall notify the police chief and the fire chief of the upcoming hearing for an event and to forward such persons the application for comment prior to the hearing. The fire chief of the fire company of which the subject property is under the jurisdiction of shall be notified. Recommendation to remove the building official from the review of events.

5. Sec. 6-56 – Fees.

Recommendation to allow for a waiver of license fee for nonprofit town groups holding special events for Town-wide participation.

6. Sec. 6-57. - Review of application; approval or approval with conditions.

Recommendation to remove the building official from review of events. Recommendation to specify that the town council shall only review event license applications during the public hearing described in Sec. 6-54, after the application has been reviewed by the police chief and jurisdictional fire chief.

7. Sec. 16-31 – Definitions.

Recommendation to define “mobile home”, “house trailer”, and “manufactured home”. Definition for manufactured home is that which is defined in RISBC-2. Definition for “mobile home” is the same as the definition for “manufactured home” with the condition that a “mobile home” was built prior to 1976. Definition for “house trailer” is a temporary structure with or without a permanent foundation that is used as a temporary residence following an unexpected event.

8. Sec. 16-57 – Procedure for applying for installation permit.

Recommendation to specify that the procedure for application for installation permit is the same as that which is found in RISBC-2.

9. Sec. 16-58 – Standards to govern issuance of installation permit.

Recommendation to specify that installation permits shall only be issued if the standards found in RISBC-2 are met.

10. Sec. 16-59 – Hearing on issuance of installation permit; issuance or denial of permit.

Recommendation to remove this section. There is no requirement for a hearing for an installation permit in RISBC-2.

11. Sec. 16-60 – Temporary permits.

Recommendation to specify that a temporary structure may be issued by the building official as described in RISBC-1.

12. Sec. 38-2 – Definitions.

Recommendation to define “mobile home”, “house trailer”, and “manufactured home”. Definition for manufactured home is that which is defined in RISBC-2. Definition for “mobile home” is the same as the definition for “manufactured home” with the condition that a “mobile home” was built prior to 1976. Definition for “house trailer” is a temporary structure with or without a permanent foundation that is used as a temporary residence following an unexpected event.

13. Sec. 38-272 – Yard exceptions.

Recommendation to replace the word “yard” with the word “setback” to explain that the exceptions listed in this section are related to obstructions within a setback.

14. Sec. 38-280 – House trailers or mobile homes.

Recommendation to amend terminology to match definitions listed in 38-2 for “manufactured home”, “mobile home”, and “house trailer”. Recommendation to cite exceptions by which a temporary structure may be permitted as a temporary substitute residence following damage, pursuant to RISBC-1.

**2nd Hearing – Animals** *disc/action*

1. Sec. 8-1. – Livestock welfare – Livestock defined.

Recommendation to add the definition of “livestock” to match RIGL 4-26-3(6) and to specify the types of animals covered under this article.

2. Sec. 8-2. – Livestock welfare – Adequate living conditions.

Recommendation to specify the standard for adequate living conditions for livestock. The definition for “adequate living conditions” matches RIGL 4-1-1(5).

3. Sec. 8-3. - General Considerations for the Care and Welfare of Livestock - Definitions.

Recommendation to add definitions to define terms related to the general considerations for the care and welfare of livestock. The definitions match 250-RICR-40-05-5.6(A).

4. Sec. 8-4 - General requirements for the care and welfare of all types of livestock.

Recommendation to add specifications of the general requirements for the care and welfare of all types of livestock in addition to requirements for specific types of livestock. The same requirements are found in 250-RICR-40-05-5.7.

5. Sec. 8-5 - Specific requirements for the care and welfare of ambulatory disabled, non-ambulatory disabled or distressed livestock.

Recommendation to add specific requirements for the care and welfare of Ambulatory disabled, non-ambulatory disabled or distressed livestock. The same requirements are found in 250-RICR-40-05-5.8(A).

6. Sec. 8-6 - Specific requirements for the care and welfare of bovine-veal.

Recommendation to add specific requirements for the care and welfare of bovine-veal. The same requirements are found in 250-RICR-40-05-5.8(B).

7. Sec. 8-7. – Specific requirements for the care and welfare of bovine-dairy.

Recommendation to add specific requirements for the care and welfare of bovine-dairy. The same requirements are found in 250-RICR-40-05-5.8(C).

8. Sec. 8-8 - Specific requirements for the care and welfare of bovine-beef.

Recommendation to add specific requirements for the care and welfare of bovine-beef. The same requirements are found in 250-RICR-40-05-5.8(D).

9. Sec. 8-9 - Specific requirements for the care and welfare of porcine-swine.

Recommendation to add specific requirements for the care and welfare of porcine-swine. The same requirements are found in 250-RICR-40-05-5.8(E).

10. Sec. 8-10 - Specific requirements for the care and welfare of poultry-layers.

Recommendation to add specific requirements for the care and welfare of poultry-layers. The same requirements are found in 250-RICR-40-05-5.8(F).

11. Sec. 8-11 - Specific requirements for the care and welfare of poultry-broilers.

Recommendation to add specific requirements for the care and welfare of poultry-broilers. The same requirements are found in 250-RICR-40-05-5.8(G).

12. Sec. 8-12 – Specific requirements for the care and welfare of poultry breeders.

Recommendation to add specific requirements for the care and welfare of poultry breeders. The same requirements are found in 250-RICR-40-05-5.8(H).

13. Sec. 8-13 - Specific requirements for the care and welfare of ovine.

Recommendation to add specific requirements for the care and welfare of ovine. The same requirements are found in 250-RICR-40-05-5.8(I).

14. Sec. 8-14 – Specific requirements for the care and welfare of caprine.

Recommendation to add specific requirements for the care and welfare of caprine. The same requirements are found in 250-RICR-40-05-5.8(J).

15. Sec. 8-15 - Specific requirements for the care and welfare of camelid.

Recommendation to add specific requirements for the care and welfare of camelid. The same requirements are found in 250-RICR-40-05-5.8(K).

16. Sec. 8-16 - Specific requirements for the care and welfare of equine.

Recommendation to add specific requirements for the care and welfare of equine. The same requirements are found in 250-RICR-40-05-5.8(L).

17. Sec. 8-17 – Violations; Penalties.

Recommendation to add penalties for violation of the conditions of Article I of Chapter 8 and the regulations of 250-RICR-40-05-5. The same violations and penalties are found in 250-RICR-40-05-5.9.

18. Sec. 8-18 – Enforcement.

Recommendation to add specific enforcement measures and authorizations. The same measures and authorizations are found in 250-RICR-40-05-5.10.

19. Sec. 12-137 – Definitions

Recommendation to add a definition for “temporary mass gathering permit” as defined in RIGL 5-11.1-3(13).

**2**nd **Hearing- Businesses** *disc/action*

1. Sec. 12-162 – License issuance; fees; limitations

Recommendation to eliminate the requirement for a public hearing for a Mass Gathering Permit. Recommendation to increase the fee for a Hawker’s license to $100.00; Peddler’s license to $100.00; and Mass Gathering permit to $100.00. Recommendation to remove minimum fees for Hawker; Peddler; Mobile food establishment licenses, Event permit; and Mass Gathering permit.

**3rd Hearing – Animals (Ch. 8) and Zoning (Ch. 38)** *disc/action*

1.Sec. 8-217 – Application for initial issuance.

Recommendation to specify that an application for initial kennel license requires a development plan review application or waiver request or minor land development application to be submitted to the Planning Board.

2. Sec. 8-218 – Contents of application.

Recommendation to amend contents of application to meet RIGL 4-13-10. Recommendation to add

procedure for issuance of license and penalties for noncompliance to meet RIGL 4-13-10.

3. Sec. 8-219 – Notice of hearing.

Recommendation to remove Sec. 8-219. A public hearing is held by the Planning Board at the development plan review stage and the hearing requirements are specified in Sec. 38-394.

4. Sec. 8-220 – Hearing.

Recommendation to remove Sec. 8-220. A public hearing is held by the Planning Board at the development plan review stage and the hearing requirements are specified in Sec. 38-394.

5. Sec. 8-224 – Revocation.

Recommendation to amend Sec. 8-224 to give Class A kennel license revocation powers to the town clerk pursuant to RIGL 4-13-10 and Class B kennel license revocation powers to the town council pursuant to RIGL 4-19-6(b). Recommendation to eliminate the requirement for a public hearing regarding a kennel license revocation.

6. Sec. 38-36 – Enforcement of chapter.

Proposes amendments to specify that zoning certificates are issued upon written request pursuant to RIGL 45-24-54.

7. Sec. 38-285 – Development standards for drive-through uses.

Recommendation to permit drive-through windows on building façades that faces a public street. Drive-through windows are currently permitted but not on the side of a building facing public street.

8. 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.).

9. Sec. 38-301 – Construction Timetable.

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.).

**4th Hearing** *disc/action*

1. Sec. 24-35 – Organization

Recommendation to allow for one Planning Board meeting per month, opposed to two. Recommendation to edit language related to the ability of the planning board to adopt procedural rules deemed necessary to the discharge of its duties pursuant to match RIGL 45-22-5(a).

**VI.** **OLD BUSINESS** *disc/action*

1. Police Building Update

**VII.** **NEW BUSINESS** *disc/action*

1. Reconsideration of December 14th 2023 Minutes
2. FY 25 Budget Review
3. FY 25 Budget Adoption
4. Tri Town Titan Request to use the Phillips Field
5. Zoning Board Alternate Appointment (expires 12/24)
6. Pole Petition Mill Road Pole 29 & 30
7. Litter Resolution
8. Resolution Supporting Extending the Transition to Cage Free Chickens
9. Charter Amendments
10. Recycling/Tipping Fees
11. Request to Reconsider the following Ordinances:

***Manufactured homes and trailers*** *disc/action*

1. Sec. 16-81. - Unlicensed trailers prohibited.

* Recommendation to state that no person shall maintain or use any trailer or manufactured home as a dwelling unit without a permit without exceptions. Recommendation to specify that the permitting process for manufactured homes is found in SBC-2 (One and Two Family Residential Code).

2. Sec. 16-82. - Procedure for applying for initial trailer license.

* Recommendation to amend the permitting process for manufactured homes to match SBC-2 for replacement and temporary manufactured homes.

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

* + Recommendation to amend the standards to govern issuance of license for manufactured homes to match SBC-2 for replacement and temporary manufactured homes.

4. Sec. 16-85 - Previously located trailers.

* Recommendation to state that all replacement manufactured homes must comply with the provisions of SBC-2.

**VII. EXECUTIVE SESSION** *disc/action*

1. **PURSUANT TO RIGL 42-46-5 (A), (2) PC 2022-05617**
2. Policies and Procedures: Police Department
3. Letter from Ltd. Stephanie Eva

**VIII. ADJOURNMENT**

**SUSAN DILLON is inviting you to a scheduled Zoom meeting.**

**Topic: Foster Town Council Meeting**

**Time: This is a recurring meeting Meet anytime**

**Join Zoom Meeting**

[**https://us02web.zoom.us/j/81889522491?pwd=M2daQ2Y0TzJYbjBwOUkvaUNXVDFLUT09**](https://us02web.zoom.us/j/81889522491?pwd=M2daQ2Y0TzJYbjBwOUkvaUNXVDFLUT09)

**Meeting ID: 818 8952 2491**

**Passcode: 069154**

**• 833 548 0282 US Toll-free**

**• 877 853 5247 US Toll-free**

**• 888 788 0099 US Toll-free**

**• 833 548 0276 US Toll-free**

**Meeting ID: 818 8952 2491**

**Passcode: 069154**

**Find your local number:** [**https://us02web.zoom.us/u/kdo7e6lcPK**](https://url.emailprotection.link/?bjGVcSmshrQTchjMN-Eln0LCDTbOv0ttzsMEdo7LJddFO0KEwLRz8Dv8FaEeKzQP6Q92Kd5vpziRkkgFCEkSGZ8WTwj5DP75beB7y_hXc-Je9LUJmJd7w8Uk69R205RVq)