

Agenda

Town of Seekonk, MA Planning Board

8/27/13

7:00 PM

Seekonk Town Hall
Planning Board Meeting Room

Type of meeting:

Planning Board Regular Meeting

Agenda topics – More information on each item can be found on our website – www.seekonk-ma.gov under Departments>Planning>Agenda Items

7:00 PM

Partial Covenant Release: Tall Pines

Applicant: Stonegate Builders

Partial Covenant Release: Caleb Estates

Applicant: DeCastro Builders

Form A: Pine Hill Estates

Applicant: Najas Realty

Form A: 21 Perrin Avenue

Applicant: Katie & Jamie Grego

Partial Covenant Release: Ricard St Extension

Applicant: Costa Development

Form A: 14 Marion Street

Applicant: Leo Marshall

Discussion: Zoning Bylaw Update

Planning Board

Correspondence:

Approval of Minutes: 7/9/13

Adjournment



Planning Board
100 PECK STREET
SEEKONK, MASSACHUSETTS 02771
1-508-336-2961

MEMORANDUM

To: The Planning Board

From: John P. Hansen Jr., AICP, Town Planner

Date: August 13, 2013

Re: Tall Pines – Partial Covenant Release

The applicant for Tall Pines has requested a partial covenant release for said subdivision. The original construction cost estimate of \pm \$750K has been reduced to \pm \$100K based on the work that has been completed by the applicant and inspected and approved by the Board's inspector, GPI. The remaining work includes top-course of asphalt and final site prep work.

The method of surety proposed by the developer is to keep a covenant on one (1) lot within the development (lot 6) and release the covenant from 2 lots (5 & 7). Based on the average purchase price of other subdivision lots this year in town at \$142K, a covenant for 1 lot appears to be adequate to cover the remaining construction costs. This office would recommend releasing the covenants on lots 5 & 7 in Tall Pines.



Planning Board
100 PECK STREET
SEEKONK, MASSACHUSETTS 02771
1-508-336-2961

MEMORANDUM

To: The Planning Board

From: John P. Hansen Jr., AICP, Town Planner

Date: August 6, 2013

Re: Caleb Estates – Partial Covenant Release

The applicant for Caleb Estates has requested a partial covenant release for said subdivision. The original construction cost estimate of \pm \$280K has been reduced to \pm \$50K based on the work that has been completed by the applicant and inspected and approved by the Board's inspector. The remaining work includes top-course of asphalt and final site prep work.

The method of surety proposed by the developer is to put a covenant on one (1) lot within the development (lot 2) and release the covenant from 2 lots (1 & 3). Based on the average purchase price of other subdivision lots this year in town at \$142K, a covenant for 1 lot appears to be adequate to cover the remaining construction costs. This office would recommend establishing a covenant on lot 2 and releasing the covenants on lots 1 & 3 in Caleb Estates.



Planning Board
100 PECK STREET
SEEKONK, MASSACHUSETTS 02771
1-508-336-2960

To: The Planning Board
From: John P. Hansen Jr., AICP, Town Planner
Date: August 14, 2013

APPROVAL NOT REQUIRED REVIEW (ANR)
Najas Realty – Plat 24, Lot(s) 688-691 – Newman Ave (Pine Hill Estates)

Summary: The applicant has submitted a request for an Endorsement of a Plan Believed Not to Require Approval.

Findings of Fact:

Existing Conditions

- 9 lot subdivision

Proposed Lot Amendments:

- Amend lot lines to increase sizes of lots 688 & 691 (parcels 5 & 9) and decrease size of lots 689 & 690 (parcels 6 & 7) but not affecting frontage of any lot.

Recommendation:

Staff recommends approval of this application as it meets the exemption clause within the definition of a subdivision in the Rules and Regulations Governing the Subdivision of Land for changing the size of lots in such a manner so as to not leave any lot affected without the proper frontage.



Planning Board
100 PECK STREET
SEEKONK, MASSACHUSETTS 02771
1-508-336-2960

To: The Planning Board
From: John P. Hansen Jr., AICP, Town Planner
Date: August 6, 2013

APPROVAL NOT REQUIRED REVIEW (ANR)
Greco – Plat 31, Lot(s) 55 – 21 Perrin Ave.

Summary: The applicant has submitted a request for an Endorsement of a Plan Believed Not to Require Approval.

Findings of Fact:

Existing Conditions

- Single-family dwellings exist at 21 & 31 Perrin and 20 Thurber Ave, which are each zoned R-1. A paper street (Cross St.) bisects the properties.

Proposed Lot Amendments:

- Abandon the paper street (50' ROW) and give half to 31 Perrin Ave owner and a quarter each to the owners of 21 Perrin Ave and 20 Thurber Ave increasing frontage of each lot by 25'.
- Purpose is to allow for more space to assist with septic replacement at 21 Perrin Ave.
- All parties have signed off this request.

Recommendation:

Staff recommends approval of this application as it meets the exemption clause within the definition of a subdivision in the Rules and Regulations Governing the Subdivision of Land for changing the size of lots in such a manner so as to not leave any lot affected without the proper frontage.

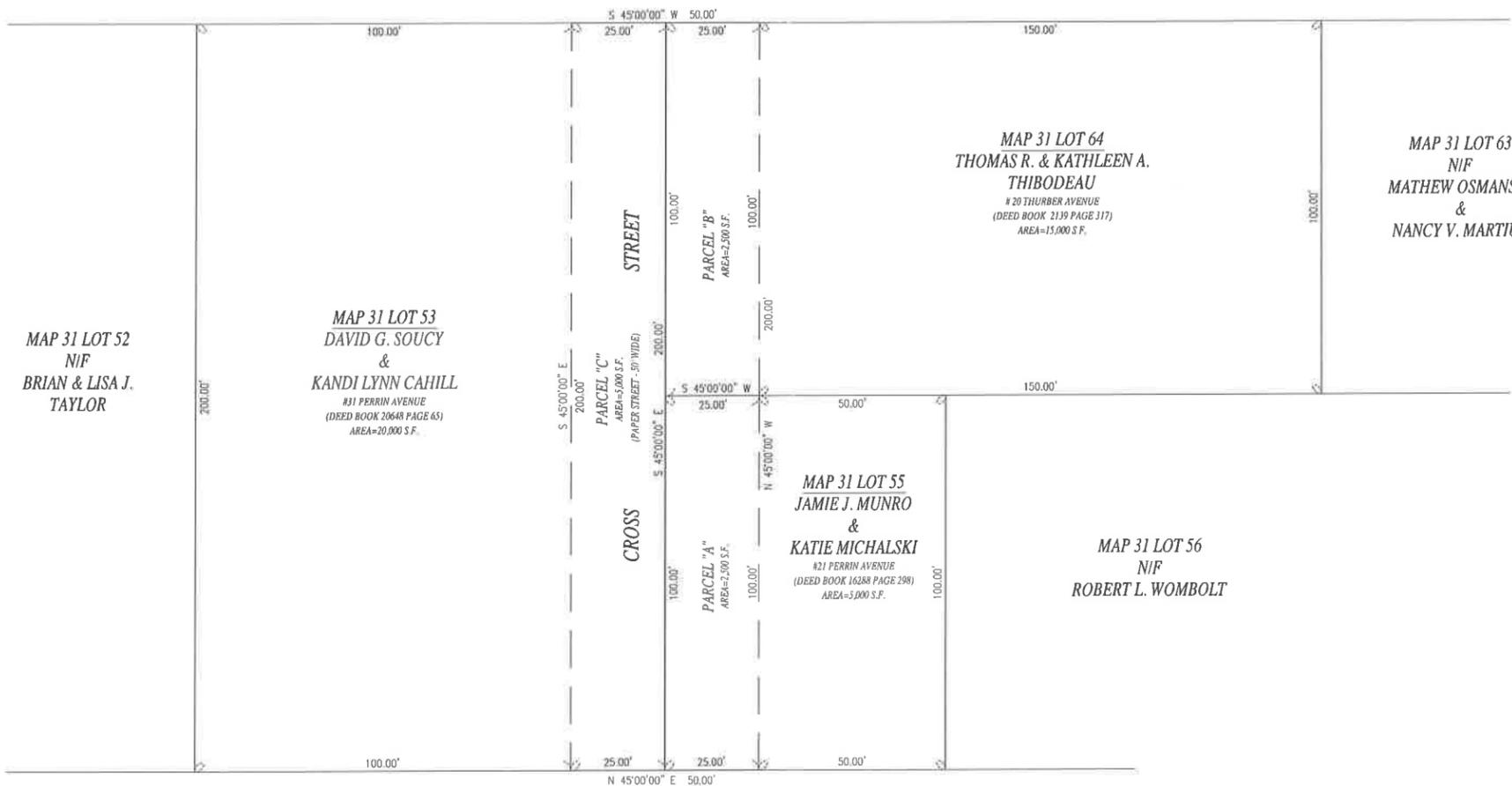


LOCUS MAP SCALE: 1"=2,000'±

THURBER (PUBLIC - 50' WIDE) AVENUE



FOR REGISTRY USE ONLY



PLANNING BOARD ENDORSEMENT SHALL NOT BE CONSTRUED AS EITHER AN ENDORSEMENT OR APPROVAL OF ZONING REQUIREMENTS OTHER THAN FRONTAGE.

APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED

TOWN OF SEEKONK PLANNING BOARD

DATE: _____

"I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS"

DATE: _____

PROFESSIONAL LAND SURVEYOR:

- NOTES:
- 1) THE PURPOSE OF THIS PLAN IS TO TERMINATE CROSS STREET AND TO TRANSFER THE RIGHTS TO DIRECT ADJUTERS AS INDICATED.
 - 2) PARCELS "A", "B", AND "C" ARE NOT TO BE CONSIDERED SEPERATE BUILDABLE LOTS.
- PARCEL "A" IS TO BE COMBINED WITH LAND OF JAMIE J. MUNRO & KATIE MICHALSKI FOR A TOTAL AREA OF 7,500 S.F.
- PARCEL "B" IS TO BE COMBINED WITH LAND OF THOMAS R. & KATHLEEN A. THIBODEAU FOR A TOTAL AREA OF 17,500 S.F.
- PARCEL "C" IS TO BE COMBINED WITH LAND OF DAVID G. SOUCY & KANDI LYNN CAHILL FOR A TOTAL AREA OF 22,500 S.F.

REVISIONS



THOMPSONFARLAND
PROFESSIONAL ENGINEERS // LAND SURVEYORS
www.ThompsonFarland.com
(MAIN OFFICE) 398 COUNTY STREET, NEW BEDFORD, MA 02740 P. 508.717.3479
NEW BEDFORD | TAUNTON | CAMBRIDGE | MARLBOROUGH

DRAWN BY: MOB
DESIGNED BY: MOB
CHECKED BY: BJM

PLAN OF LAND

21 PERRIN AVENUE
ASSESSORS MAP 31 LOT 55
SEEKONK, MASSACHUSETTS

PREPARED FOR:
JAMIE J. MUNRO & KATIE A. MICHALSKI
21 PERRIN AVENUE
SEEKONK, MA 02771

JUNE 25, 2013
SCALE: 1"=20'
JOB NO. 13-488
LATEST REVISION:



Planning Board
100 PECK STREET
SEEKONK, MASSACHUSETTS 02771
1-508-336-2961

MEMORANDUM

To: The Planning Board

From: John P. Hansen Jr., AICP, Town Planner

Date: August 20, 2013

Re: Ricard Street-Extension – Partial Surety Release

The applicant for Ricard Street Extension has requested a partial covenant release for said subdivision. The original construction cost estimate of ±\$235K has been reduced to ±\$72K based on the work that has been completed by the applicant and inspected and approved by the Board's inspector, GPI. The remaining work includes top-course of asphalt and final site prep work.

The method of surety proposed by the developer is to keep a covenant on lot 2 and release the covenant from lot 4. Based on the average purchase price of other subdivision lots this year in town at \$142K, a covenant for 1 lot appears to be adequate to cover the remaining construction costs. This office would recommend releasing the covenant on lot 4.



Planning Board
100 PECK STREET
SEEKONK, MASSACHUSETTS 02771
1-508-336-2961

To: The Planning Board
From: John P. Hansen Jr., AICP, Town Planner
Date: August 20, 2013

APPROVAL NOT REQUIRED REVIEW (ANR)
Marshall – Plat 32, Lot(s) 25 & 26 – 14 Marion St.

Summary: The applicant has submitted a request for an Endorsement of a Plan Believed Not to Require Approval.

Findings of Fact:

Existing Conditions

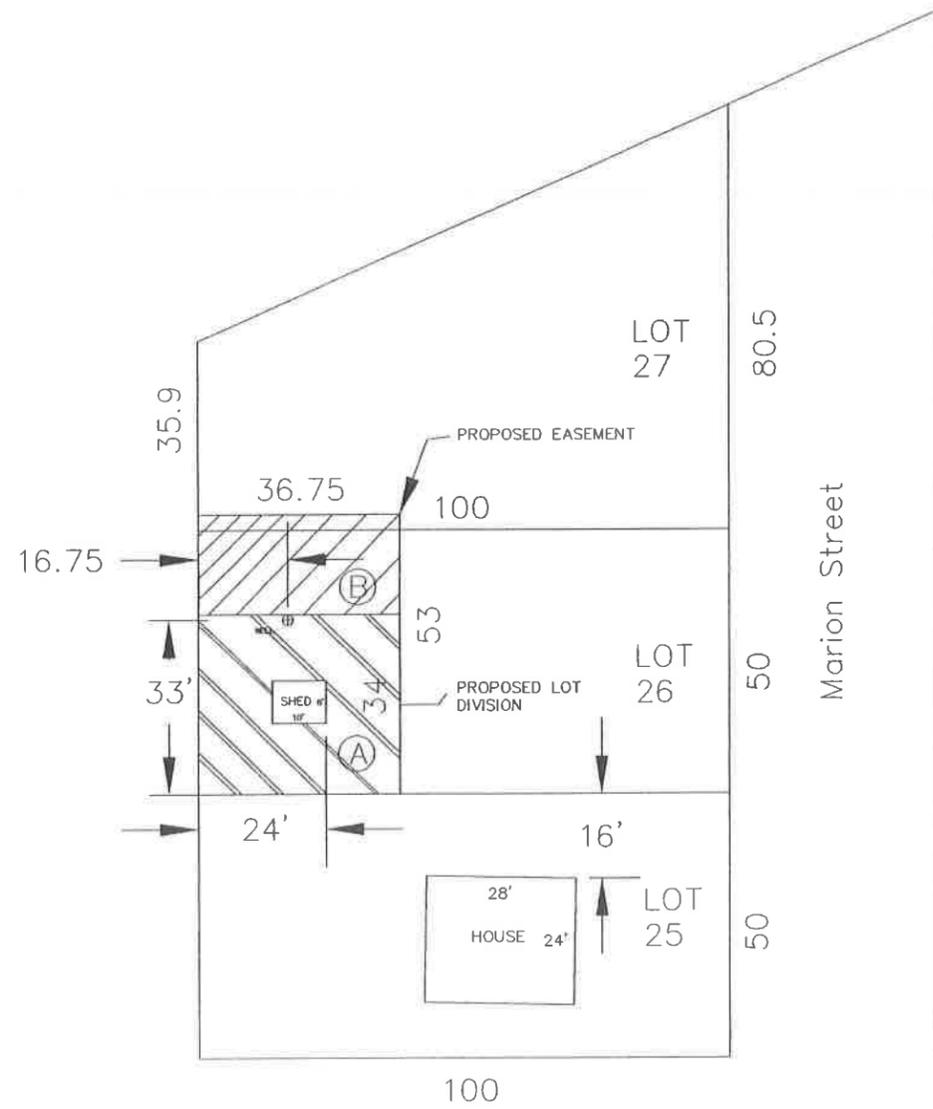
- Single family dwelling on lot 25 with well on adjacent lot 26.

Proposed Lot Amendments:

- Divide off approximately 1212 sq. ft. of land in the rear of lot 26 and merge with lot 25.

Recommendation:

Staff recommends approval of this application as it meets the exemption clause within the definition of a subdivision in the Rules and Regulations Governing the Subdivision of Land for changing the size of lots in such a manner so as to not leave any lot affected without the proper frontage.



Draft Copy – Stamped Drawings
and Mylar copy to be
substituted prior to 8-27-13
meeting

Keith Marshall
Residence
August 8, 2013

TOWN OF SEEKONK
Planning Board

MEMORANDUM

To: The Planning Board

From: John P. Hansen Jr., AICP, Town Planner

Date: August 1, 2013

Re: July monthly report

BYLAWS

Zoning Bylaw rewrite

- First draft of zoning bylaw reorganization completed

PLANS

Master Plan

- Implementation on-going

MISC

Medical Marijuana Treatment Centers Zoning Bylaw

- Public hearing to be held in January; To be on 2014 Spring TM.

SWAC

- Mapping project of all catchment areas to Town drainage outfalls for NPDES permit continues.

GIS

- Completing town-wide wetlands GIS file based ConCom approved plans.

SUBDIVISIONS

Orchard Estates

- Binder course of asphalt installed

Tall Pines

- Binder course of asphalt installed

Madison Estates

- Construction to commence

Caleb Estates

- Binder course of asphalt installed

Ricard St. Extension

- Binder course of asphalt installed

Pine Hill Estates

- Surety established

Jacob Hill Estates

- Definitive Plan submitted

Country Brook Estates

- Definitive Plan approved

Summer Meadows

- Preliminary Plan approved

SITE PLANS

Chipolte/Visionworks

- Plan approved

Senior Center

- Plan approved pending drainage review



Zoning Board of Appeals
100 PECK STREET
SEEKONK, MASSACHUSETTS
508-336-2961

DECISION

Owner: Town of Seekonk
100 Peck Street
Seekonk, MA 02771

BK: 1438 PG: 921

By: David Bowden, Chairman
Senior Center Building Committee

LOCATION: 100 Peck Street, Seekonk, MA
Plat 18, Lot 11; R-2 Zone, containing 21.7 acres
Case No. 2013-14

In accordance with the provisions of the General Laws, the Zoning Ordinance, Seekonk Zoning By-Laws, and rules of the Board, the Clerk notified the public and other parties of interest of a public hearing to be held on said petition in the TOWN HALL on **Monday, August 5, 2013**, by causing a notice thereof to be published on **Monday, July 22, 2013 and Monday, July 29, 2013** in the Sun Chronicle and by mailing a copy of said notice on **July 18, 2013** to persons owning real estate within 300 feet in any direction from the property involved, as shown by the most recent list of the Board of Assessor's office of said Seekonk.

Pursuant to such advertisement and notice, the Board held a public hearing on **Monday, August 5, 2013**.

2013-14 Town of Seekonk, a Municipal Corporation with its principal business address at 100 Peck Street, Seekonk, MA, 02771, Owner, by Mr. David E. Bowden, Chair, Senior Center Building Committee, Petitioner, requesting approval of the final site plans of the proposed Senior Center under the stipulations of the Special Permit issued (case #2011-06) at 100 Peck Street, Plat 18, Lot 11, in a R-2 Zone containing 21.7 acres.

With five (5) members present and voting, it was voted **5 in favor** and **0 opposed** to endorse the revised plans drawn by Flansburgh Architects for the 7,023 sq. ft. Senior Center, using either of the three presented alternative floor plans, as the stipulations under the jurisdiction of the Zoning Board of Appeals set forth in the original decision, case 2011-06, have been satisfied based on the plans and testimony presented. The revised Site Plan should be thoroughly reviewed by the Planning Board to ensure adequate parking spaces for all uses on the site.

Edward F. Grouke ^{by direct} Edward F. Grouke, Esq., Chairman
Ronald Blum ^{by direct} Ronald Blum
Robert W. Read ^{by direct} Robert W. Read
Gary S. Sagar Gary S. Sagar
Roger C. Ross Roger C. Ross

AUG 12 13 AM 9:45

SEEKONK PLANNING BOARD
Public Hearing & Regular Meeting Minutes
July 9, 2013

Present: Ch. Abelson, M. Bourque, R. Bennett, L. Dunn, D. Viera, R. Horsman, S. Foulkes
J. Hansen, Town Planner

7:00 pm Ch. Abelson called the meeting to order.

Site Plan Review: Senior Center – 100 Peck Street- Applicant: Town of Seekonk

D. Bowden 170 Walker Street Chairman of Senior Center Building Committee introduced himself then introduced the Architect and Engineer working on the Sr. Center Project.

Brian Dunn of MBL Land Development & Permitting, Corp. introduced himself and summarized the proposed Senior Center to the Planning Board (PB).

George Cruz Architect for the Senior Center presented the drawings of the building noting it will be a modular building. He said there are two building plans; Plan 1 a 6,200sq ft building with a 100 seat meeting room, Plan 2 a 7,200sq ft with a 135 seat meeting room.

D. Viera asked how many parking spaces they were proposing because Town Hall parking is tight and he was concerned it would be used for the new building. He said if it needs to be changed now is the time to do it.

B. Dunn said there were 44 existing and 38 new and the count per section 10 in the zoning bylaws was one space per five seats at minimum so they calculated that to be 27- 45, which meant they were in the middle range of the requirement.

D. Viera asked if their calculations included Town Hall spaces.

B. Dunn said no.

D. Viera asked again if the Sr. Center would be using any of the Town Hall parking spaces.

B. Dunn said no, not per the regulations in Section 10 of the Zoning Bylaws. He noted he could not control people parking in Town Hall spaces.

Ch. Abelson asked how many employees would be working at the Sr. Center.

B. Dunn said 11.

D. Viera said that drops that number to 27.

G. Cruz said the meeting room seating was 135 maximum and that would usually be for an event. He said they average 40 people a day for dining but not everyone drives their own car.

S. Foulkes asked what the retaining wall was for.

B. Dunn said the wall was there to hold up the grade of the new parking lot because the new lot would be three to four feet higher because of the new septic system.

S. Foulkes wondered if that would impact the water flow toward Town Hall.

B. Dunn said no it would continue to drain north as it does now.

Ch. Abelson stated that there would be 38 new spaces, he then asked about visitor parking, plus people using the meeting room. He was concerned about the amount of people and was worried about enough parking spaces.

S. Foulkes asked if there was a van used for the Sr. Center and if so where would that park.

B. Dunn said there was no van but they put in 4 van handicap parking spaces.

D. Bowden said originally there was additional parking up by the power lines where the original septic system was going. He noted that they still had the right to use that property because they received permission from National Grid. He said they were not planning on using it unless needed.

D. Viera said he still wanted to feel comfortable knowing there will be enough spaces for the Town Hall and the Sr. Center because it is tight.

Ch. Abelson said when he visits Town Hall he parks in the circle because there are usually not enough parking spaces.

J. Hansen said it works on paper but in reality it is at capacity.

R. Bennett asked if there was another area that could be utilized.

Ch. Abelson said there is the parking area by the power lines but he didn't know what that entailed.

D. Viera said that area would be based on the season because if it's wet and muddy people would not want park there.

D. Bowden said it could be paved. He went on to say that part of the problem was that town vehicles take up at least six spaces. He suggested that maybe the Town should find a place to park their cars rather than have the Sr. Center Committee provide additional parking. He went on

to say that most large functions would probably take place on a weekend or at night and the parking lot for Town Hall unless there was a meeting would be available for overflow parking. He said he did not think an issue should be made out providing twice as much parking and make it the Sr. Center Committee's responsibly to provide it.

J. Hansen said he believed it was at capacity now and that there was not room for overflow in the Town Hall parking lot.

S. Foulkes wondered if there were any vacant municipal spaces in front of the Safety Complex building, she suggested the town cars park there.

J. Hansen said knowing how much the inspectors go out during the day that would not be convenient or efficient walking to the Safety Complex. He also said it was not up to the PB to decide that would be up to the administration.

Ch. Abelson asked if they could expand the parking lot back to gain a few more spaces.

B. Dunn said they were maxed out.

R. Horsman asked about the area adjacent to the turn around.

B. Dunn said the retaining wall and fill was there.

Ch. Abelson said he would like to see at minimum 10 more parking spaces because once the new Sr. Center gets built it has the potential to be used much more than it is now. He also mentioned the Veterans Agent will have an office there as well which might create more need for additional spaces.

B. Dunn said he would talk to the Sr. Center Committee and ask them to consider adding those spaces.

J. Hansen said the employees of the Sr. Center and the Veterans Agent could give them a good estimate of how many visitors they see in a day.

B. Dunn handed out landscaping plans which showed 18 shade trees and said they would not put them in the middle island but it would give shade to the entrance and the new parking lot.

Ch. Abelson asked about the lighting

B. Dunn said there is a lighting plan on the full size set of plans.

J. Hansen said they did not have a set of standards for this type of facility. He said from what he could see the range is at a minimum of 0.8 foot candle and commercial use is 2.0. He said the PB needed to make a decision on this.

B. Dunn said they way it is designed they are not casting any light past their property line.

G. Cruz said it is designed to get good light from the parking lot to the building; it is safety lighting for safety purposes.

Ch. Abelson said the lighting plan looked good as well as the landscaping; he asked the PB their opinions about the parking.

G. Cruz said he just got a note handed to him saying there are 11 employees, 5 permanent and 6 voluntary.

D. Viera said that they still had to figure on 11 employees.

R. Horsman stated that the first time there is a function and half the town shows up and there is not enough parking people will be mad and say they paid all this money and their taxes went for a new Sr. Center and now they can't even park. He said he just doesn't want to get into a situation where there is not enough parking.

J. Hansen said we just want to make sure people are not taking spaces from the other buildings.

Ch. Abelson asked the PB if they wanted the plan to come back showing how they can accommodate 10 more spaces.

R. Horsman said at the very least with his quick math he said they need at least 56 spaces.

J. Hansen said that was a good starting point not counting any visitors.

D. Viera said he would rather see 10 more spaces.

Ch. Abelson agreed.

B. Dunn said they provided a site plan that conforms to the rules and regulations now.

Ch. Abelson asked B. Dunn if you are going to add 7 you should just add 10.

B. Dunn said they could probably accommodate them somewhere. He went on to say that if there was a situation that the PB would accept an alternate parking plan if it could be afforded, and the building went from 6,200 sq ft to 7,200 sq ft then it would be 48 spaces which would be part of the bid. He said if they build a smaller building they would only have 100 seats not 135 seats.

M. Bourque said if the alternate plan does not go through then there would only be 100 seats and with the 100 seats and the employees the parking plan before them now fits that. He said it would then make sense, if they are going to do the alternate with the increased seating, they would have to come back to the PB with a new parking plan with increased parking.

Ch. Abelson said yes.

R. Horsman said that with the smaller building they need 38 spots as planned but should Alternate 2 plan be approved that should show increased parking to 45 spots.

Ch. Abelson said even with the smaller footprint you still have the same number of employees.

S. Foulkes asked if it were approved for 6,200sq ft and at some time in the future the Sr. Center building expanded would there be a plan for the extra parking.

B. Dunn said there was a plan for future expansion of the building if necessary.

G. Cruz said we know we have a building at 6,200 sq ft. with 38 parking spaces which we feel is adequate. He said if it goes to 7,200 sq ft it will be necessary to go to the maximum 45 parking spaces or more.

S. Foulkes said we will need two parking plans.

G. Cruz said yes what they would need to do is design a new parking plan and make it part of the Alternate 2 plan.

M. Bourque said he just did not want to hold it up the project if they don't get the extra funding.

G. Cruz said after July 29 when the vote is taken they would come back to the PB with another parking plan.

R. Horsman summarized that 38 spaces as planned at the 6,200 sq ft and should Alternate 2 plan be approved part of that plan should have increased parking showing 45 parking spots.

B. Dunn agreed.

S. Foulkes asked if the drainage was going to be reviewed by a consultant engineer.

J. Hansen said that was up to the PB to decide

R. Horsman said it should be reviewed by a consultant engineer.

Ch. Abelson said they could vote pending because after a consultant review the plan could change.

G. Cruz said what was provided for drainage; the bio-retention system is actually the current trend which means less in-ground drainage, less piping, less maintenance.

J. Hansen said it depended on how good the drainage calculations were that the engineer provided. The consultant engineer could go through it and find no problems; it could be a quick process.

R. Horsman said they were not just going to skip having it reviewed just because of the vote.

Ch. Abelson said we could approve this pending a peer review and they would have to bring it back to us if there were problems.

**D. Viera made a motion to approve seconded by R. Bennett
(no vote taken on this motion)**

J. Hansen brought up before the vote the issue of a tree planted in memory of a former Town employee. He said it was an issue near and dear to all Town Hall employees.

B. Dunn said they looked at the tree and said it was unlikely the tree could be transplanted. He said they proposed to dedicate a new tree but didn't know how the PB and Town Hall would feel about that.

J. Hansen said he knew that Town Hall employees felt strongly about it and indicated they would like to see the tree saved.

D. Viera said the tree should be preserved or plant another one.

B. Dunn said they would be glad to replant another one with a plaque.

R. Horsman asked J. Hansen if that would be okay.

J. Hansen said he did not know.

B. Dunn said D. Bowden felt they could transplant the tree and have it survive.

Ch. Abelson said he was optimistic it would transplant fine given its size.

J. Hansen commented that the tree was planted in that location for a specific reason. He said he knew it meant a lot to the employees. He said the husband of the Town employee has planted flowers and visits the site regularly.

L. Dunn asked if that was a good compromise to move the tree.

M. Bourque said he thought it sounded like the tree was site specific.

J. Hansen said it was not his intention to stop the project over it but he will talk to the people in Town Hall and see what their thoughts were on the subject even though he already knew that the fact that it is site specific will weigh heavily.

B. Dunn said he understood the site location issue and wondered if it was the tree or the site that was symbolic. He asked if they could put a plaque at the site location.

Ch. Abelson mentioned maybe a bench.

B. Dunn said they would be sensitive to the issue and try and come up with something.

S. Foulkes commented that the PB would be considering voting on this contingent upon the Town having a peer review of the drainage and if there was an issue it would be remanded back to the PB.

Ch. Abelson said yes the PB would be voting on the site plan as is until they got the results from a peer review and if there were changes to be made they would have to make them.

B. Dunn asked who would be doing the peer review and the cost.

J. Hansen said it was the PB's decision.

M. Bourque said they alternate engineers.

J. Hansen suggested GPI and said the cost depended on how accurate the Sr. Center's engineer's drainage calculations were.

M. Bourque said if they have to increase the parking then they will have to redo the drainage calculations and go out for another review. He suggested in order to save money they should hold off till after the vote on July 29.

J. Hansen suggested waiting the 3 weeks before sending it out for review.

R. Horsman suggested putting it on the next month's agenda.

Ch. Abelson said the PB could still pass it at tonight's meeting, but they could not do the peer review until after the vote on July 29, 2013.

B. Dunn said if they did not get the money on July 29 the plan they had before them could be sent out for the peer review on July 30. If the additional money was approved they would come back to the PB with a new plan, new drainage calculations and at that point the PB would send it for a peer review.

A Motion was made by R. Horsman and seconded by S. Foulkes and it was unanimously

VOTED: to approve the Site Plan for the proposed Senior Center dated June 26, 2013 pending a peer review that would not take place until after July 29, 2013. If the Alternate 2 Plan is approved on July 29, 2013 a new Site Plan is to be shown to the Planning Board with new drainage calculations and 45 parking spaces.

**Public Hearing – Definitive Subdivision: Country Brook Estates –
Arcade Ave. – Applicant: Watermellen, LLC**

Ch. Abelson read the order of business.

A motion was made by R. Bennett seconded by R. Horsman and it was unanimously

VOTED: To waive the reading of the legal notice.

Introduction of Town Planner and Board Members

P. Carlson Engineer for applicant introduced himself and summarized the property proposed is an application for approval of a Definitive Plan for a Conservation Subdivision. He said it will consist of 36.5 acres creating 18 residential building lots accessed off 1100 ft of new road way. He said the subdivision was designed to conform to the conservation subdivision regulations and bylaws and would use the density bonus bylaw which provides 2 affordable units creating 14 lots allowed by right, 2 new affordable lots and 2 lots for the density bonus. He said the majority of the property is wooded. He said the limited area of disturbance would be such that would allow the home owner to develop all the way to the rear of their property. He said it would be serviced by Seekonk Water District and the lots would have individual septic systems and the percs have been good. He said there would be a fire alarm box for the subdivision and the proposed drainage design would be constructed wetlands and a bio-retention pond.

He noted the waivers asked for would be: Per Section 7.2.4.1 - Length of permanent dead-end streets (900' max. in R-3 district) – 1070' road proposed.

L. Dunn commented the reason why she was going to vote against the subdivision was because it had too many house lots and she was concerned about the water runoff into the river and did not think it would work well.

D. Viera asked if fast systems were proposed.

P. Carlson said no but they would be putting in regular systems.

Ch. Abelson asked any if opponents or proponents wanted to speak.

Christine Allen of Brook Street asked how many house lots.

Ch. Abelson said 18.

P. Paolo 71 Mill Rd. said water was an issue in that area and asked if in the event the subdivision creates a water problem on adjacent properties what would or could be done about it.

P. Carlson said the water is being moved to the northwest of the site and recharged in that area so impervious surface will be moved to the northwest.

P. Paolo commented he hoped that meant there wouldn't be any ground water because he has never had any water issues before and doesn't want any now. He said there was no reassurance they could give him.

P. Carlson said they were recharging in the northwest so it should be alright but he nor any engineer could guarantee there would not be any ground water especially if there was an unusually bad storm.

Ch. Abelson said he did not think it would cause any problems.

L. Dunn asked if it was reasonable to hold off.

J. Hansen said it would not be built until all the issues are addressed and it had gone through the 20 day appeal period. He said they don't sign off on anything until all things are completed.

A motion was made by D. Viera and seconded by R. Horsman and it was unanimously

VOTED: to adjourn the Public Hearing

A motion was made by D. Viera and seconded by S. Foulkes and it was

VOTED: to approve the waiver, as it appears necessary to accommodate the affordable units and density bonus, the special permit, as it supports quality housing for persons of all income levels as stated in the Purpose section of the Zoning Bylaws, and the Definitive Subdivision Plan – 'Country Brook Estates', latest revision date of 6/7/13 and the Stormwater Management Narrative, latest revision date of 6/10/13, as all Subdivision Rules and Regulations are met, with the following conditions:

1. Appropriate documentation shall be submitted for the establishment of a homeowner's association, drainage easements, and an open space restriction on the open space land, which shall be delineated by a split rail fence. These documents shall be submitted prior to endorsement and recorded along with the subdivision.
2. The provisions of sections 25.10.1 (affordable unit amounts, size & distribution) and 25.10.1.4 (construction schedule) shall be adhered to.
3. Prior to issuance of a building permit for each lot, the lot owner/developer shall provide the Planning Department with site specific soils data and a roof drainage system design meeting the design requirements shown on the drawings, including the required separation from seasonal high groundwater. Prior to the issuance of certificate of occupancy from the Building Department, a record plan indicating as-built conditions of the roof drainage system design shall also be submitted to the Planning Department.
4. Prior to construction of the subdivision, soils data shall be obtained within the area proposed for the constructed wetland and the bio-retention area to confirm soils and groundwater conditions are suitable for these facilities. The Health Agent shall witness and approve of the soils data.
5. Prior to issuance of a building permit for each lot, the lot owner/developer shall submit a lot site plan and supporting information documenting the following:

- a. The grading of the lot is consistent with the impervious surface coverage and the drainage patterns depicted on the approved Subdivision Plans.
 - b. The development of the individual lots will implement and maintain erosion and sediment control measures during construction as stipulated on the approved Subdivision Plans. The lot plan should illustrate the placement and details of these measures.
6. Any outstanding issues identified by the Board's consultant, Woodward & Curran, in their 7/2/13 memo to the Board shall be addressed by the applicant.

**And so voted Aye by: R. Bennett, R. Horsman, M. Bourque, D. Viera, S. Foulkes, and Ch. Abelson;
Nay: L. Dunn**

Motion passes (6-1).

**Site Plan Review: 35 Highland Ave. – Applicant: Ann & Hope, Inc.
(Chipotle/Vision works)**

Gus Raposo Professional Engineer for Chipotle presented the Site Plan to the PB. He said it was proposed to be a large retail/restaurant development occupying several buildings.

He proposed the following:

To construct a 3000 sf Visionworks and 15 associated parking spaces and a 72 seat Chipolte Mexican Grill restaurant with 24 associated parking spaces within parking lot of existing development.

Section 10.6.1 - Parking-8-15 parking spaces required for a 3000 sf commercial establishment less than 20,000 sf and 15-24 parking spaces for a 72 seat restaurant (24-39 parking spaces required/39 new spaces proposed). **10.6.2**-Deep-sump catch basins proposed; **10.6.3**-Greater than 30% shading of parking areas proposed (30% required); **10.6.4**- Photometric Plan submitted showing 2.0 footcandles for all parking spaces (2.0 footcandle minimum); **10.6.5**-No drive-thru facility proposed; **10.6.6**-Architectural designs submitted, which complement existing buildings in the vicinity.

No Waivers Required

A motion was made by R. Horsman and seconded by D. Viera and it was

VOTED: to approve the site plan review for 35 Highland Ave.

Abstain - L. Dunn

Motion passes 6-aye 0- nay 1-abstain

Surety Reduction: Woo Estates – Woo Dr. – Applicant: JH Lynch

A motion was made by R. Horsman and seconded by D. Viera it was unanimously

VOTED: to reduce Woo Estates Bond to 148,962.50

Aye – Ch. Abelson, L. Dunn, M. Bourque, R. Bennett, R. Horsman, S. Foulkes & D. Viera

ANR Approval: 696 Read St. – Applicant: Ann Jordan

J. Hansen summarized: The applicant submitted a request for an Endorsement of a Plan Believed Not to Require Approval.

Findings of Fact:

Existing Conditions

- 21 acre vacant lot zoned R-4.

Proposed Lot Amendments:

- Divide into two lots each with adequate frontage, 215' for lot 1 and 275' for lot 2 (200' minimum) and access to the property on an accepted way (Read St.)

A motion was made by D. Viera and seconded by R. Horsman and it was unanimously

VOTED: to endorse ANR for 696 Read St.

Aye – Ch. Abelson, L. Dunn, M. Bourque, R. Bennett, R. Horsman, S. Foulkes, D. Viera

Discussion: Zoning Bylaw Update

A motion was made by D. Viera to put this agenda item off to a later date he said he did not have enough time to review it. (no action was taken on motion)

J. Hansen said that it was not his intention to have a decision on this it was just to get it to the PB to look over the changes Horsley & Witten Group had made to the bylaws.

S. Foulkes said she thought the PB should consider having a second meeting in a month to go over some of the more lengthy bylaws such as the Medical Marijuana bylaw.

J. Hansen said he understood if they wanted to put the discussion items off for a second meeting but as of right now there was not much in the works for August to warrant two meetings.

Community Priority Area Update

J. Hansen summarized that SRPEDD wanted the PB to have this discussion again but he said the PB had already forwarded their concerns and did not see the need to have the discussion again. He said he thought the Master Plan was sufficient and that the PB already had a good idea what and where the priority areas are.

S. Foulkes said she thought the SRPEDD presentation was not very professional and that they should have given the PB a presentation they could look at and then discuss afterward.

Discussion: Medical Marijuana Treatment Centers Zoning Bylaw

J. Hansen summarized that he continually has discussions with other town planners and with the Seekonk Police Chief. He said recently the discussion revolved around what to do with homegrown issues because it is allowed under the bylaw. He said he was seeking legal opinion on that issue. He said as stated in the past the quick and easy thing to do would be to put the treatment centers in the industrial district in the southeastern part of town. He noted that was what the Police Chief was suggesting in order to keep it away from residents and school zones.

Ch. Abelson asked J. Hansen to bring a bylaw to the board for review. He said if the PB is in agreement as to where it should go they could vote on it and hold a public hearing in the winter in order to keep the moratorium in place for as long as possible.

Discussion: Conservation Subdivision Design Bylaw

L. Dunn asked J. Hansen to explain how the density bonus works in the Conservation Subdivision Design bylaw.

J. Hansen explained for example in the case of Country Brook Estates the subdivision that was just before the PB they took 10% percent of the 14 lots being proposed and said they are required to put up 10 % affordable, and 10% percent of 14 is 1.4 so they got 2 units of affordable and then you are allowed to match that with 2 market rate lots.

L. Dunn felt this added to sprawl.

J. Hansen said he was surprised she felt that way because when they had the public hearing last year she was okay trading off open space for affordable housing.

L. Dunn said she remembered.

Ch. Abelson said we might have to change the percentages of undisturbed area in the smaller subdivision at some point.

(D. Viera had to leave the meeting at 9:15 PM)

Correspondence: none

Approval of Minutes: 6/11/13

A motion was made by R. Bennett seconded by L. Dunn and it was unanimously

VOTED: to approve 6/11/13 Planning Board minutes

Aye – Ch. Abelson, L. Dunn, M. Bourque, R. Bennett, R. Horsman, S. Foulkes

**It was discussed and decided the next meeting will be on Aug 27, 2013
7PM**

Adjournment

A motion was made by R. Bennett and seconded by R. Horsman and it was unanimously

VOTED: to adjourn at 9:30 PM

Aye – Ch. Abelson, L. Dunn, M. Bourque, R. Bennett, R. Horsman, S. Foulkes

Respectfully Submitted by,

Florice Craig