

# Agenda

# Town of Seekonk, MA Planning Board

06/14/16  
7:00 PM  
Seekonk Town Hall  
BOS 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](http://www.seekonk-ma.gov) under Departments>Planning>Agenda Items

7:00 PM

**ANR Application for 2 and 6 Kenwood Court,** Manuel & Maria Rodrigues  
To reconfigure a lot line between two existing lots being AP 16, lots 168 & 171 located off Lincoln Street and zoned R-2

**ANR Application for 13 Harriet Court,** Nicholas & Kyla Benedetti  
Adjustment of common boundary  
AP 24, lots 494 & 495 located off West Avenue and zoned R-1

Request for final release of public improvement obligation and remaining surety for **Tall Pines Subdivision** Steve Dippolito

Request to set surety amount and form for **Curt Street Extension** four lot definitive subdivision of AP 21, lot 23 located in an R-2 zoning district. Joseph Vieira

Subcommittee report and preliminary review of revisions to the Rules and Regulations Governing the Subdivision of Land in the Town of Seekonk Rules and Regs Sub-Committee

2017 Master Plan Update preliminary discussion John Aubin

Discussion of PILOT agreement status

Town Planner Monthly Report John Aubin

Correspondence

Approval of Minutes: 5/10/16

Adjournment



## Planning Board

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

To: The Planning Board  
From: John J. Aubin III, Town Planner  
Date: June 14, 2016  
Application Filed: May 24, 2016

### APPROVAL NOT REQUIRED REVIEW (ANR)

**Manuel and Maria Rodrigues – Plat 16, Lots 168 and 171 – 2 and 6 Kenwood Court**

#### **Existing Conditions:**

The subject lots, AP 16, lots 168 and 171, are comprised of 1.3 (57,205 s.f.) and .8 (35,049 s.f.) acres of land respectively, located in an R-2 Zoning District having a minimum required 22,500 square feet of area and 120' of frontage per lot in accordance with **Section 5** of the Seekonk Zoning By-laws. Lot 168 is currently developed with a single family dwelling and lot 171 is undeveloped. Lot 168 has approximately 200 feet of frontage on Kenwood Court. Lot 171 has approximately 150 feet of contiguous frontage along Kenwood Court. The submitted plan reconfigures the lot line between the two properties adding parcel 'A' to Lot 171 from Lot 168 and parcel 'B' to Lot 168 from Lot 171. The proposed reconfiguration will reduce the frontage of Lot 168 and increase the frontage of lot 171 by approximately 15' to 185' and 165' respectively. Attached please find a copy of the Town's online GIS aerial of the subject lots and surrounding area.

#### **Proposed Lot Amendments and plan references:**

The submitted plan creates no new lots for development and results in lot configurations as follows:

Lot 168 and Parcel 'B' having 58,905 square feet (1.35 acres) of land area and approximately 185 feet of contiguous frontage on Kenwood Court; and

Lot 171 and Parcel 'A' having 33,349 square feet (.766 acres) of land area and approximately 165 feet of contiguous frontage on Kenwood Court.

#### **Recommendation:**

Staff recommends endorsement of the submitted APPROVAL NOT REQUIRED PLAN OF LAND prepared for Manuel and Maria F. Rodrigues dated November 13, 2015 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.



# TOWN OF SEEKONK

# FORM A

## PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771  
1-508-336-2961

### APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Date: November 12, 2015

Applicant Name Manuel & Maria F. Rodrigues Phone No. (508) 557-1247

Applicant Address 2 Kenwood Court Seekonk, MA 02771

Address of Subject Property 2 Kenwood Court Seekonk, MA 02771 (applicant)  
6 Kenwood Court Seekonk, MA 02771 (neighbor)

Subject Property Plat No. 16 Subject Property Lot No. 168 (applicant) Present Zoning R-2  
13752 (applicant) 143 (applicant)

1. Deed of property recorded in Bristol County Registry, Book No. 17507 (neighbor) Page No. 284 (neighbor)

2. Name of Engineer or Surveyor Richard S. Lipsitz Mass Lic. No. 39691  
46 Sutton Avenue East Providence, RI 02914  
Address \_\_\_\_\_

Brief Description of lots lines being changed and why: Due to the placement of a retaining wall inadvertently built on the neighboring lot, the applicant (Rodrigues: A.P. 16, Lot 168) intends to convey Parcel 'A', as shown on the attached plan, to his neighbor (Kazarian: A.P. 16, Lot 171). The neighbor (Kazarian: A.P. 16, Lot 171) intends to convey Parcel 'B', also shown on the attached plan, to the applicant (Rodrigues: A.P. 16, Lot 168).

- Application Form (2 x) Please note: both copies must be originals, 1 copy for Planning, 1 copy for Town Clerk
- Application fee, ck# \_\_\_\_\_  
Please note: \$100 per lot, \$200 minimum, (made payable to the Town of Seekonk)
- Certificate of Good Standing, completed and signed by Tax Collector
- Plans received in CD or DVD format
- Plans received (1) Mylar, (4) prints, (1) 11" X 17", (see sec. 3.3.4 of rules & regs.)

MAY 24 '16 AM 9:11

To the Planning Board:

The undersigned, believing that the accompanying plan of his property in the Town of Seekonk does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

Received by Planning Board or Town Clerk:

Date: May 24, 2016

Time: 9:11am

\*Signature: Antonio Henriquez

\*Signature of Applicant  
x [Signature]

x Manuel Rodriguez

Address of Applicant 2 Kenwood Ct

\*Signature of Owner or Notarized letter (if applicable)  
x [Signature]

x Maria F. Rodriguez

Address of Owner 2 Kenwood Ct  
Seekonk, Ma, 02771

\*Please use blue pen to sign

MAY 24 '16 AM 9:11

AP 16, Lots 168 and 171 existing conditions



Property Information

**Property ID** 265/016.0-0000-0168.0  
**Location** 2 KENWOOD CT  
**Owner**



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

Town of Seekonk, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 5/1/2015  
Properties updated 1/1/2015





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

To: The Planning Board  
From: John J. Aubin III, Town Planner  
Date: June 14, 2016  
Application Filed: May 26, 2016

**APPROVAL NOT REQUIRED REVIEW (ANR)**  
**Nicholas and Kayla Benedetti – Plat 24, Lots 494 and 495 – 13 and 17 Harriet Court**

**Existing Conditions:**

The subject lots, AP 24, lots 494 and 495, are comprised of 20,373 square feet and 16,899 square feet of area respectively, located in an R-1 Zoning District and an Aquifer Protection Zone of the Water Resource Protection District having a minimum required 14,400 square feet of area and 100' of frontage per lot in accordance with **Section 5** of the Seekonk Zoning By-laws. Both lots are currently developed with single family dwellings. Lot 494 has approximately 82 feet of frontage on Harriet Court (created in 1958 as part of the "Hoffman Acres" definitive subdivision). Lot 495 has approximately 80 feet of frontage on Harriet Court. The submitted plan reconfigures the lot line between the two properties adding parcel 'A' to Lot 494 from Lot 495. Attached please find a copy of the Town's online GIS aerial of the subject lots and surrounding area.

**Proposed Lot Amendments and plan references:**

The submitted plan creates no new lots for development or changes to the existing frontages of the subject lots and results in lot configurations as follows:

Lot 494 and Parcel 'A' having 22,872 square feet of land area and approximately 82 feet of contiguous frontage on Harriet Court; and

Lot 494 having 14,400 square feet of land area and approximately 80 feet of contiguous frontage on Harriet Court.

**Recommendation:**

Staff recommends endorsement of the submitted APPROVAL NOT REQUIRED MAP OF LAND prepared for Nicholas and Kayla Benedetti dated January 19, 2016 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.



# TOWN OF SEEKONK

# FORM A

## PLANNING BOARD

100 PECK STREET, SEEKONK, MA 02771  
1-508-336-2961

### APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL

Date: 1/19/16

Applicant Name NICHOLAS AND KAYLA BENEDETTI Phone No. 508-369-1313

Applicant Address 13 HARRIET COURT

Address of Subject Property 13 and 17 HARRIET COURT

Subject Property Plat No. 24 Subject Property Lot No.'s 494 & 495 Present Zoning R-1

1. Deed of property recorded in Bristol County Registry, Book No. 17730 6902 Page No. 178 (LOT 494) 170 (LOT 495)

2. Name of Engineer or Surveyor ANTHONY A. CAPUTO Mass Lic. No. 29640

Address CAPUTO AND WICK LTD. 1150 PAWTUCKET AVE., ROMFORD, RI 02916

Brief Description of lots lines being changed and why: \_\_\_\_\_

ADJUSTMENT OF COMMON BOUNDARY

- Application Form (2 x) Please note: both copies must be originals, 1 copy for Planning, 1 copy for Town Clerk
- Application fee, ck# \_\_\_\_\_  
Please note: \$100 per lot, \$200 minimum, (made payable to the Town of Seekonk)
- Certificate of Good Standing, completed and signed by Tax Collector
- Plans received in CD or DVD format
- Plans received (1) Mylar, (4) prints, (1) 11" X 17", (see sec. 3.3.4 of rules & regs.)

MAY 26 '16 PM 1:15  
1

To the Planning Board:

The undersigned, believing that the accompanying plan of his property in the Town of Seekonk does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

Received by Planning Board or Town Clerk:

Date: May 26, 2016

Time: 1:15 pm

\*Signature: [Signature]

\*Signature of Applicant

[Signature] Kyla Benedetti

Address of Applicant 13 HARRIET COURT

SEEKONK, MA 02771

\*Signature of Owner or Notarized letter (if applicable)

[Signature] Francis J. Lemaire

Address of Owner 17 HARRIET COURT

SEEKONK, MA 02771

\*Please use blue pen to sign

MAY 26 '16 PM 1:15

### AP 24, Lots 494 and 495 existng conditions



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town of Seekonk, MA makes no daims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 5/1/2015  
Properties updated 1/1/2015



LOCATION MAP  
0 1200  
SCALE IN FEET

NOTES:

1. SEE PLAN ENTITLED "MAP OF LAND IN SEEKONK, MASSACHUSETTS BELONGING TO MIRIAM L. BOYLAN BY CAPUTO AND WICK LTD., OCTOBER 13, 1993".
2. SEE PLAN ENTITLED "HOFFMAN ACRES SUBDIVISION OF LAND IN SEEKONK - MASS. OWNED BY HARRIET W. HOFFMAN MARCH 1955".
3. SEE PLAN ENTITLED "PLAN AND PROFILE OF TULLSON AVENUE SEEKONK, MASS, BY WATERMAN ENGINEERING CO. FEB.1940.
4. LOT A IS NOT A BUILDABLE LOT AND WILL BE MERGED WITH ASSESSORS PLAT 24 - LOT 494 TO FORM ONE CONTIGUOUS PARCEL OF LAND "LOT 1" CONTAINING 22,872 S.F.

PLAT 24  
LOT 494

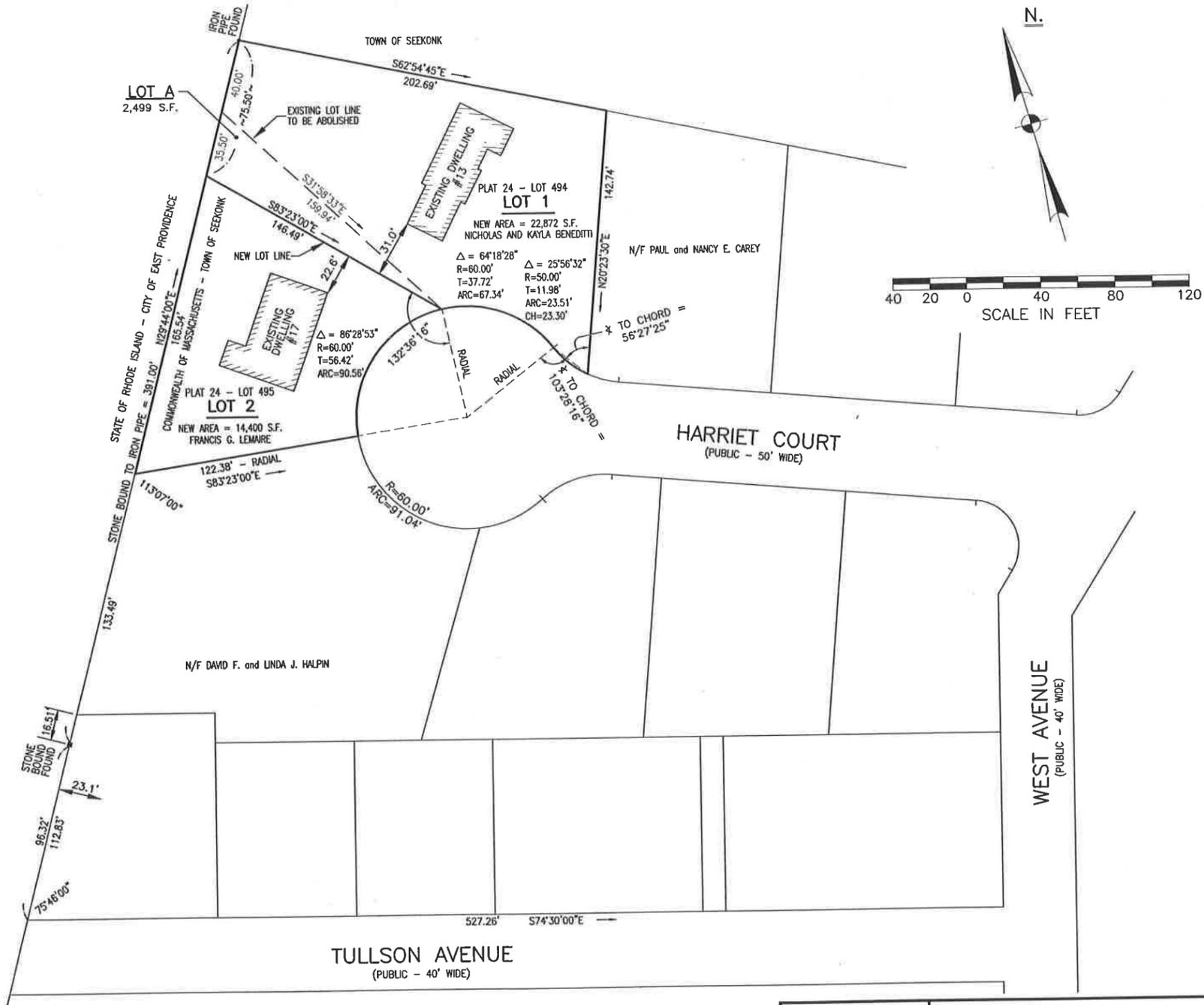
OWNER:  
NICHOLAS and KYLA BENEDETTI  
13 HARRIET COURT  
SEEKONK, MA 02771  
AREA = 20,373 S.F.  
ZONE: R-1/GAPD  
DEED BOOK 17730 - PAGE 178

PLAT 24  
LOT 495

OWNER:  
FRANCIS G. LEMAIRE  
17 HARRIET COURT  
SEEKONK, MA 02771  
AREA = 16,899 S.F.  
ZONE: R-1/GAPD  
DEED BOOK 6902 - PAGE 170

PLANNING BOARD APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED.

DATE \_\_\_\_\_  
SIGNATURES OF THE PLANNING BOARD DO NOT GUARANTEE THAT ALL OR ANY OF LOTS SHOWN ARE BUILDABLE.



I HEREBY CERTIFY THAT THIS MAP CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

**MAP OF LAND**  
PREPARED FOR  
**NICHOLAS and KYLA BENEDETTI**  
**HARRIET COURT**  
**SEEKONK, MASSACHUSETTS**

**CAPUTO AND WICK LTD.**  
Land Surveying, Civil Engineering,  
Environmental Services, Traffic Engineering  
and Construction Engineering  
1150 PAWTUCKET AVE,  
RUMFORD, R.I. 02916-1897  
Tel: 401-434-8880  
Fax: 401-334-1615  
MAIL@CWLTLD.NET  
WWW.CWLTLD.NET

DATE  
JANUARY 19, 2016

SHEET  
1

A:\Massachusetts\Seekonk\Harriet Ct\2015002.00 - Benedetti 13 -17\2015002.00 MA Seekonk Harriet Ct 13-17 - Benedetti Nicholas and Kyla - Form A.dwg



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

**MEMORANDUM**

To: The Planning Board

From: John J. Aubin III, Town Planner

Date: June 14, 2016

Re: **Tall Pines** request for final release of public improvement obligation and remaining surety.

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The applicant is before the Planning Board requesting final release from public improvement obligations and remaining surety amounts related to the Tall Pines Definitive Residential Subdivision. On May 16, 2016 the Town of Seekonk by action of Town Meeting voted to accept the roadway for the development, Tall Pines Drive. Subsequent to the acceptance the applicant has recorded a deed for the roadway and as built plan and made the current request for final release. In review of the requested release no outstanding issues or objections have been identified or submitted by the Superintendent of Public Works or the Planning Board's reviewing engineer for the project. Attached please find a certified copy of the minutes of the May 16, 2016 Town Meeting documenting acceptance of Tall Pines Drive as a public street.

Thank you.

**ARTICLE 18**

**Jane Howland Place** as shown on definitive map entitled "Definitive Subdivision, **Jane Howland Estates Phase E**, Seekonk, Massachusetts, prepared for Mark Dorman and Roy LaCroix, D.B.A. Howland Associates, Inc., by Caputo and Wick, Ltd., dated July 27, 1995" recorded in the Bristol County Northern District Registry of Deeds in Book 349, Page 75.

**Submitted by: Board of Selectmen  
Board of Selectmen: Recommends Approval  
Finance Committee: No Recommendation**

*A motion was made that the Town vote to accept the layout of the public way known as Jane Howland Place as described in the warrant for this Town Meeting, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain any necessary easements or other interests within said way as so laid out for all purposes for which public ways are used in the Town of Seekonk.*

**Action on the motion: Motion passes unanimously.**

**ARTICLE 19**

**Tall Pines Lane** as shown on the Plan of Land entitled "Definitive Subdivision Plan of Land of "Tall Pines" in Seekonk, Massachusetts Prepared for Stone Gate Builders, Inc." dated December 1, 2010, as revised, and recorded at the Bristol County (N.D.) Registry of Deeds in Plan Book 485, Pages 79 & 80.

*A motion was made that the Town vote to accept the layout of the public way known as Tall Pines Lane as described in the warrant for this Town Meeting, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain any necessary easements or interests in land within such way as so laid out for all purposes for which public ways are used in the Town of Seekonk.*

**Action on the motion: Motion passes unanimously**

**Submitted by: Board of Selectmen  
Board of Selectmen: Recommends Approval  
Finance Committee: No Recommendation**

ATTEST

A TRUE COPY  
*[Signature]*  
TOWN CLERK



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

**MEMORANDUM**

**Date:** June 14, 2016  
**To:** Seekonk Planning Board  
**From:** John J. Aubin III, Town Planner  
**Re:** Performance Guarantee review for Curt Street Extension definitive subdivision

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At their April 12, 2016 meeting, the Planning Board approved the above referenced 4 lot subdivision of land. The applicant has submitted the attached construction cost estimate and has requested to appear before the Planning Board to discuss the form and amount of surety for the development. Per the Planning Board's decision, Woodward and Curran is the designated construction inspection engineer for the public improvements and drainage structures related to the development. The attached proposal for services has been submitted to the applicant for authorization. In reviewing the construction cost estimate it is recommended that in addition to the engineering costs related to construction oversight (\$14,900.00), amounts also be added to the estimate to provide for inflation (6%), maintenance (2%), and a contingency (10%). Any comment from the inspecting engineer or Department of Public Works will be forwarded to the Planning Board upon receipt. The applicant has been provided the pre-construction checklist, Woodward and Curran engineering services proposal, and will execute the appropriate surety agreement upon final election of the surety form as provided for in **Section 6.9** of the Rule and Regulations Governing the Subdivision of Land in the Town of Seekonk.

The applicant has indicated his intent to request that the Planning Board accept a covenant over the Curt Street Extension Definitive Subdivision with a recognition of the applicant's right to build a single family dwelling on the existing lot of record. Upon completion of the extension of Curt Street; the applicant has indicated that it is their intention to request release of the covenant over the development and substitute another appropriate security instrument as provided for in **Section 6**. It is respectfully requested the Planning Board consider the amount and form of surety and take such action as they may deem appropriate.

Thank you.



## **Planning Board**

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

### **MEMORANDUM**

**Date:** June 14, 2016

**To:** Planning Board

**From:** John J. Aubin III, Town Planner

**Re:** 2016 Spring Proposed revisions to the **Rules and Regulations Governing the Subdivision of Land in the Town of Seekonk**

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Attached please find an initial set of proposed amendments to the **Rules and Regulations Governing the Subdivision of Land in the Town of Seekonk**. The revisions include both typographical and substantive amendments. It is requested that the Planning Board review the proposed amendments, recommend any additional amendments, and authorize preparation of the formal amendment process in accordance with **Section 9.4 Revision**. Such authorization will allow for legal notice of a public hearing on the amendments currently anticipated July 12, 2016.

**Rules and Regulations Governing the Subdivision of Land in the Town of Seekonk  
2016 Revision and Update**

Amendment 1: Section III Approval Not Required

- 3.6. If the plan is endorsed, it shall be the responsibility of the Planning Board to notify the Town Clerk and the Registrar of Deeds or the Recorder of Land Court that the Board has determined that approval under the Subdivision Control Law is not required. ~~The Applicant shall submit a fee to the Planning Board equal to the cost of recording the plan. Said fee shall be determined by the Registrar of Deeds. A courier fee shall also be submitted by the Applicant to pay for the cost of bringing said plan to the Registry of Deeds for recording. Said fee shall be determined by the courier service, which shall be chosen by the Planning Board. It is the Applicant's responsibility to record it with the Registrar of Deeds or the Recorder of Land Court~~

**Note:** This amendment brings the Rules and Regulations into conformance with the applicable language of 41 MGL §§ 81V and 81X with regard to delivery of final plans to applicant for recordation.

Amendment 2: Section IV PRELIMINARY PLAN

- 4.2 Contents – The Preliminary Plan shall be drawn ~~on tracing paper with pencil~~ at the required scale and eight (8) prints shall be filed at the office of the Planning Board and one (1) print at the office of the Board of Health. Said plan shall be identified as a Preliminary Plan and show all the information required under the definition of the Preliminary Plan so as to form a clear basis for discussion of its problems and for preparation of the Definitive Plan. In addition to those items included in the definition of a Preliminary Plan, the following shall be submitted:
1. Two (2) completed copies of application Form B.
  2. A locus plan of the subdivision, showing its relation to the surrounding area, at a scale of 1 inch = 400 feet.
  3. A layout drawing of the subdivision at 1" = 40' or such other scale as the Board may accept to show adequate detail.
  4. In the case of a subdivision covering less than all of the land owned by the subdivider in the area of the subdivision, the locus plan shall show in a general manner the proposed overall development of all said land.
  5. Percolation, maximum groundwater elevation and soil profile tests as required in 4.3 and 4.4, including the location of test holes.
  6. A certified list and 2 sets of mailing labels of all abutters within a 300' radius of the property proposed to be subdivided.
  7. Fee of \$300 per plan.

**Note:** This amendment eliminates a reference to tracing paper and requires that applicants for preliminary plan approval submit a certified lists of abutters within 300' of a proposed for subdivision.

### Amendment 3 Section IV PRELIMINARY PLAN

- 4.4.4 The groundwater table determinations shall be made at a sufficient number of places to truly reflect the elevation of the water table. Except where the Board of Health requirements are more stringent, a minimum of two determinations shall be made. A minimum of one determination per three acres shall be made on tracts larger than five acres.

**Note:** This amendment makes a typographic correction.

### Amendment 4 Section IV PRELIMINARY PLAN

- 4.6. Within forty-five (45) days after submission of a Preliminary Plan, the Planning Board and the Board of Health shall approve such Preliminary Plan with or without modifications, or the Planning Board and the Board of Health shall disapprove such Preliminary Plan, and, in the case of disapproval, shall state the reasons therefor. The forty-five day period shall be adhered to unless an extension is agreed upon by the Planning Board and the Applicant. The Planning Board may not approve a Preliminary Plan except in compliance with recommendations by the Board of Health. Notice of the Planning Board's review of the Preliminary Plan shall be provided to the abutters, by the applicant via regular mail not less than 10 days prior to the Planning Board meeting at which the Preliminary Plan is to be considered.

**Note:** This amendment requires 10 days notice of the Planning Board's review of a preliminary subdivision plan to abutters within 300' of a property proposed for subdivision.

### Amendment 5: Section V Definitive Plan

#### 5.1 General

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Board all contents contained within the checklist for a Form C, ~~the~~ applicant shall be responsible for mailing costs. Notices mailed to abutters shall be in the form of certified mail return receipt requested and ~~prepared by the applicant~~ shall be in the form of the published advertisement. ~~Said notices shall then be forwarded to the town for mailing.~~

**Note:** This amendment bring the Rules and Regulations into conformance with current Planning Board practices with regard to notice and advertising of public hearings for definitive subdivisions.

### Amendment 6 Section V Definitive Plan

#### 5.2 Submission

- 1.2.3 A plan shall be considered to have been submitted when delivered to the Board, or when sent by registered mail to the Planning Board, care of the Town Clerk. If so mailed, the date of mailing shall be the date of submission of the plan. Plans and applications are to be received by the Board at ~~least~~ least five business days prior to the next regularly scheduled meeting at which they are to be discussed.

**Note:** This amendment makes a typographic correction.

## Amendment 7 Section V Definitive Plan

Contents 17.

7. Elevations shall be based on the Massachusetts Coordinate System, North American Datum 1983 (NAD83), with units in U.S. Survey Feet. The vertical datum must be North American Datum 1988 (NAVD88). At least two permanent bench marks shall be referred to on the profiles. **Correct citation?**

**Note:** This office is waiting for confirmation of the current NAD and NAVD citations from the Department of Public Works

## Amendment 8 Section V Definitive Plan

### 5.4 Erosion and Sedimentation

Erosion and Sedimentation Control shall conform to Category 20B – Stormwater Management of the General By-laws.

**Note:** This amendment makes a typographic correction.

## Amendment 9 V Definitive Plan

### 5.6 Environmental Impact Statement

The developer ~~may be required to~~ shall submit an environmental impact statement for all definitive subdivisions resulting in 4 or more lots. The purpose of this statement is intended to alert the developer to the possible adverse effects the subdivision may create on the environmental resources at the development site. The second purpose is to provide town officials with sufficient information on the impact the development will have on town services and resources in order that the town can plan to meet those needs. In reviewing the statement, it is the intent of the Planning Board to use the information concerning the impact of the development on town resources for purposes of accepting or rejecting the Definitive Plan.

The Planning Board may waive the requirement for the submission of any section or sections of the statement which it seems inappropriate to the proposed development. IT IS THE INTENTION OF THE PLANNING BOARD TO GRANT WAIVERS AS A MATTER OF COURSE WHERE EXCESS IMPACTS ARE NOT ANTICIPATED. It is suggested, however, that the developer discuss the requirements with the Board prior to submission of a preliminary plan. The statement should be to the greatest extent possible a technical rather than a subjective document. References and calculations shall be submitted with the plan and the statement itself shall include the following elements unless waived by the Board.

**Note:** This amendment requires the submission of an environmental impact statement for all definitive subdivisions of five or more lots.

## Amendment 10 Section V Definitive Plan

### Section 5.6.2.2 Sub-surface Conditions

3. Describe any potential limitations to the proposed project that might be imposed by ~~subsurface~~ sub-surface soil and water conditions.

**Note:** This amendment makes a typographic correction.

#### Amendment 11 Section V Definitive Plan

Section 5.6.2.3.1 List and indicate on a locus map of a scale 1" = 400' any regional and local highway arteries what will provide service to the subdivision. Where information is available, indicate the theoretical capacity (vehicles per hour) and the present usage (average vehicles per hour and average rush hour vehicles per hour) for these arteries.

**Note:** This amendment makes a typographic correction.

#### Amendment 12 Section V Definitive Plan

Section 5.6.2.3.6 Schools: Estimate the ~~probably~~ probable number of pupils by type of school that will be generated by the subdivision

**Note:** This amendment makes a typographic correction.

#### Amendment 13 Section V Definitive Plan

Section 5.6.2.3.8. ~~In so far as is possible and reasonable~~ Except as specifically considered and exempted by the Planning Board, the subdivision plan shall conform to the most recently adopted Master Plan of the Town of Seekonk as to design and performance standard as set therein.

**Note:** This amendment is intended to provide for greater conformance by proposed subdivisions with the adopted Seekonk Master Plan.

#### Amendment 14 Section V Definitive Plan

Section 5.9.2 Upon final approval, ~~it shall also be the responsibility of the Planning Board shall endorse the plan as approved and deliver to submit the endorsed, approved Definitive Plan to the person who submitted such plan for recordation in the Land Court or the Registry of Deeds for recording. The applicant shall submit a fee to the Planning Board equal to the cost of recording the plan. Said fee shall be determined by the Land Court or Registrar of Deeds. A courier fee shall also be submitted by the applicant to pay for the cost of bringing said plan to the Land Court or Registry of Deeds for recording. Said fee shall be determined by the courier service, which shall be chosen by the Planning Board.~~

**Note:** This amendment brings the Rules and Regulations into conformance with the applicable language of 41 MGL §§ 81V and 81X with regard to delivery of final plans to applicant for recordation.

#### Amendment 15 Section VI Performance Guarantee

##### Section 6.8 Release of Performance Guarantee

Upon the satisfactory completion of all required work, including the delivery of "as built" plans and certifications, the developer shall send a statement by registered mail to the Town Clerk and the Planning Board that the required construction and installation has been completed in accordance with these Rules and Regulations, enumerating the lots covered by the performance guarantee for such construction and installation and requesting the

release of bond or other security or the release of lots from the operation of the covenant. Within forty-five days of such request, the Board shall either vote to release and return such bond or security, or vote to release the lots affected from the operation of the covenant, terminating the developer's obligations in connection therewith, or else the Board shall advise the developer by registered mail and the Town Clerk of the specific details of non-performance or failure to comply with these Rules and Regulations. If the Board fails to so notify the developer and the Town Clerk within said forty-five days, the Town Clerk shall issue a certificate that the covenant is void, with respect to any lots, the release of which has been requested, or that all obligations under the bond or other security are terminated and it may be returned to the developer. Such certificate shall be in a form suitable for recording.

**Note:** This amendment makes grammatical corrections to clarify the intent of the section.

#### Amendment 16 Section VI Performance Guarantee

##### Section 6.9 Election of Performance Guarantee

As between a bond or other security and a covenant, the developer shall have the right to elect which performance guarantee type to use and the right to change from one type to the other from time to time, but the Planning Board shall have the right to specify the time of performance. Subject to the Town Treasurer's approval of the form and manner of execution, the Planning Board shall have the right to specify the penal sum of any bond or the type and amount of other negotiable security. The Board may, at its option and subject to the Town Treasurer's approval, accept as security any readily negotiable property of sufficient value, such as common stock or bearer bonds. The Board may further in lieu of a bond or a deposit enter into an agreement with the holder of the first mortgage on the subdivision, which agreement shall provide for the retention of sufficient funds, otherwise due to the applicant, in the event of failure of timely performance of the required construction and installation and shall further provide that such undisbursed funds shall be available for the completion of the required work in the event of the developer's failure to perform such work.

If the developer shall submit to the Planning Board a new ~~tracing plan~~ of that part of the subdivision to be subject to the operation of the covenant; ~~the board shall inscribe on such new tracing plan~~ a reference to the restriction of the covenant, and the plan shall be recorded, superseding the previously recorded plan which had no reference to the covenant. Copies of all covenants, agreements, releases and other actions by the Board shall be furnished to the Inspector of Buildings, who shall issue no building permit for any lot in a subdivision unless first satisfied that such a lot has been released for building and sale and is not restricted by the operation of a covenant.

**Note:** This amendment makes grammatical corrections and eliminates references to tracing paper.

#### Amendment 17 Section VI Performance Guarantee

Section 6.11 A filing fee, payable to the Town of Seekonk, of \$125 shall be submitted with every request for reduction of ~~security surety~~, partial release of covenant and final release of performance guarantee. For establishing or releasing covenants, the applicant shall ~~submit a fee to the Planning Board equal to the cost of recording the covenant. Said~~

~~fee shall be determined by the Registrar of Deeds. A courier fee shall also be submitted by the applicant to pay for the cost of bringing said plan to the Registry of Deeds for recording. Said fee shall be determined by the courier service, which shall be chosen by the Planning Board.~~

**Note:** This amendment bring the Rules and Regulations into conformance with current Planning Board practices with regard to recordation.

#### Amendment 18 Section VII Design Standards

Section 7.2.1.1 All streets shall conform to topography, and where possible straight segments of over 300 feet which encourage speeding shall be avoided in minor streets. Collector and arterial streets shall facilitate safe movements of traffic by providing ample sight distances and by avoiding steep horizontal and vertical ~~curved~~ curves particularly at approaches to intersections.

**Note:** This amendment makes a typographic correction.

#### Amendment 19 Section VII Design Standard

7.2.1.9 A concerted effort shall be made to provide at least 500' of visibility in both directions on high-speed roads (i.e., 35 mph+) and at least 300' of visibility on lower speed roads for the establishment of bus stops when designing street intersections.

**Note:** The Rules and Regulations Sub-committee requests a discussion of the addition of language referencing line of sight at intersections.

#### Amendment 20 Section VII Design Standard

##### 7.5 Water Supply

7.5.1 No Definitive Plan shall be approved by the Planning Board unless provision is made for adequate supply of water to each of the lots in the subdivision and for purposes of fire protection. **[Rural Fire Service Fee]**

**Note:** This office request a discussion of the addition of language referencing the Rural Fire service Fee that has been assessed for developments not services by the Seekonk Water District.

#### Amendment 20 Section VII Design Standard

##### 7.5 Water Supply

7.5.2 Where feasible, water mains shall connect to the existing municipal system and extension to adjacent undeveloped land shall be required to be drawn on the Definitive Plan. Wherever possible, water mains shall be laid out to form a continuous loop with the existing or proposed system to avoid dead-ended pipes.

**Note:** The Rules and Regulations Sub-committee requests a discussion of the addition of language referencing looping of water systems.

#### Amendment 21 Section VII Design Standard

##### Section 7.8 Protection of Natural Features

In order to enhance and maintain property values and to protect existing natural characteristics within the subdivision, major site features as identified in the contents of the Definitive Plan and required in Section 5.3.19 above, shall be preserved to the maximum possible extent, and not be removed or damaged except with the express approval of the Planning Board and/or the Conservation Commission. If it shall be the natural order of things to remove or damage said features in order to provide for the elements of the subdivision, the applicant shall take ~~very~~ every means possible to replace and restore the land to its original definition based on reasonable Planning Board and/or Conservation Commission stipulations. Where feasible, the layout of lots and the location of buildings shall be accomplished with due regard driven to preserving the major site features so identified and located in the Definitive Plan.

**Note:** This amendment makes a typographic correction.

#### Amendment 22 Section VIII Construction of Ways and Installation of Utilities

Section 8.1.2 The Planning Board shall provide the subdivider with a checklist of those improvements which are to be inspected and designate the appropriate Inspector. Refer to checklist, "Inspection of ~~construction~~ Construction", Form K.

**Note:** This amendment makes a typographic correction.

#### Amendment 23 Section VIII Construction of Ways and Installation of Utilities

##### 8.3.1 Tanker Truck:

In lieu of providing said individual sprinkler system (8.3.2) or subsurface water storage (8.3.4) an applicant may satisfy the fire protection requirement by providing a fee of (five thousand) \$5,000 per residential unit for the purchase, equipping, and maintenance of a Fire Department Tank Truck or other related fire suppression equipment. Said fee shall be submitted prior to the issuance of any building permit for construction of a residential dwelling on any such lot subject to this section.

**Note:** This amendment requires payment of the "rural fire service fee" by an applicant/ developer prior to the issuance of any building permit.

**TOWN OF SEEKONK**  
**Planning Board**

**MEMORANDUM**

**To:** The Planning Board  
**From:** John J. Aubin III, Town Planner  
**Date:** June 1, 2016  
**Re:** May monthly report

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The following departmental activity summary covers the period May 1, 2016 to May 31, 2016.

**SUBDIVISIONS**

- Roadway acceptances for 2016 Spring Town Meeting **Betty's Way, (Girard Estates), Jane Howland Place, (Jane Howland Estates), and Tall Pines Drive, Tall Pines.** Town Meeting – May 16, 2016
- **Curt Street Extension** 4 lot Definitive Subdivision of AP 21, lot 23. Construction cost estimate and surety proposal anticipated before the Planning Board June 14, 2016
- **ANR Application for 12 Kenwood Court,**  
Reconstruction of lot lines between existing lots being AP 16, lots 169 & 171 located off Lincoln Street endorsed May 10, 2016
- **Country Brook Estates,** Antonio Dr. (off Arcade Ave.)  
Change Affordable Lot Lot 18 to Lot 1 approved May 10, 2016
- **ANR Application for 41 Lake Street,** Five lot subdivision on 23.67 acres AP 16, lot 2 endorsed May 10, 2016

**SITE PLANS**

- **1977 Fall River Avenue** 240,000 sq. ft. Distribution Facility Application. Continued preconstruction coordination. Building Permit filed TIF agreement signed. Awaiting MEPA review completion.
- Site Plan Application for proposed Wireless Communications Facility located at **1494 Fall River Avenue,** AP 4, Lot 4 approved May 10, 2016
- Site Plan Application for proposed General Contractor Administrative Offices and Storage Garage at **0 Hollister Road,** AP 1, lot 126 approved May 10, 2016

## **AMENDMENTS**

- Spring 2016 Zoning By-law amendments approved by Town Meeting May 16, 2016
- Zoning Board of Appeals Application packet revision Completed Rule and Regulations and Appeal Guide presented and adopted at the May 2, 2016 meeting of the Zoning board of Appeals.
- Rules and Regulations Governing the Subdivision of Land in the Town of (Seekonk Sub Committee) 30 amendments drafted for review and discussions with Planning Board June 14, 2016

## **MISC**

- Water Resource Protection District on-line GIS map extent
- Economic Development Committee
  - TIF agreement Town Meeting recommendation
  - East Bay Business Expo
  - Business outreach letter drafted
- Seekonk Bikeway Sub-committee formed, on-line/ digital map version completed and outreach commenced.
- TIF agreement with FedEx/Scannell Properties agreement approved at the Spring 2016 Town Meeting and in process of execution.
- Seekonk Non-Criminal Code Enforcement Program
  - Municipal hearing Officer Training Completed
  - Appeal Process and Procedure booklet completed and distributed

## **CLERICAL/ADMINISTRATIVE**

- Planning Board/Zoning Board of Appeals application coordination and scheduling
- Planning Board Minutes
- Zoning Board of Appeals transcripts
- Rules and Regulations Governing the Subdivision of Land in the Town of Seekonk review and update
- Historic Properties Review
- Subdivision-Street Index

## **SRPEDD UPDATE**

- Regional Economic Strategy Committee: 1977 Fall River Avenue project presentation