



Planning Board

Seekonk Town Hall
Planning Board Meeting Room
100 Peck Street, Seekonk, MA 02771
1-508-336-2961

AGENDA

October 24th, 2023

7:00 p.m.

**Select Board Room
Seekonk Town Hall
100 Peck St
Seekonk, MA**

Type of Meeting: Public Hearing and Work Session

*More information on each item can be found on our website—www.seekonk-ma.gov under
Departments>Planning>Agenda items*

Public Hearing:

1. Discussion of Town Meeting Amendments

Work Session:

2. Discussion of upcoming work session items

Adjournment



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

MEMORANDUM

Date: October 24, 2023

To: Planning Board

From: John J. Aubin III, Town Planner

Re: Public Hearing on proposed zoning amendments, **Section 4.2.6 Prohibited Uses**, for Fall 2021
Town Meeting

On September 27, 2023 the Board of Selectmen referred the attached proposed zoning amendment to the Planning Board for a public hearing in accordance with **Section 2.12 Amendment-2.12.2 Public Hearing**. The proposed amendments are summarized as follows:

1. Amendment 1 to change the Zoning By-law's general intent from prohibitive to permissive;
2. Amendment 2 to allow for up to 8 accessory units "per building" above 1st floor commercial use by right in the highway business district;
3. Amendment 3 to allow for the use of the "alternate minimum standard" within the R-4 zoning district;
4. Amendment 4 to increase the maximum building/ lot area coverage percentage in the local and highway business district and allow for a maximum height of 4 stories and 45 feet in the Highway Business District;
5. Amendment 5 to allow for temporary commercial signage to advertise special events at the location of the signage;
6. Amendment 6 to provide for regulations requiring fire safety cisterns or dry hydrants for development lacking public water service.

No comments have been received by this office with regard to the proposed amendments to date.

It is respectfully requested that the Planning Board conduct a public hearing to solicit public comment on proposed amendments and vote to offer a report providing either a positive or negative recommendation on the amendments to the November 13, 2023 Fall Town Meeting.

Thank you.



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Fall 2023 Zoning By-Law Amendments

Please note: Each amendment is presented below with existing language to be deleted indicated by ~~striketrough~~ and proposed new language indicated by underline. Where a portion of a section or subsection is proposed for amendment it is denoted by “parentheses” and ... before and/ or after ... to indicate the language not quoted. Additional comments or information needs are denoted by [brackets].

Amendment 1:

§1.2 Purpose

These Zoning By-laws are intended to be and shall be interpreted and construed as ~~prohibitive~~ permissive.

Comment: Included at the request of the Zoning Board of Appeals. The “prohibitive” was changed from permissive at the Spring 2016 Town Meeting is for consistency with the use table and an expression of intent of the Zoning By-law.

Amendment 2:

Section 4.2 Use Table

Amend Section 4.2.3 Residential Uses to allow 8, 2nd floor accessory units “per building” and make such units an allowed use by right in the Highway Business District.

Principal Uses (unless specified otherwise)	Residence Districts				Business Districts			Industrial District
	R-1	R-2	R-3	R-4	LBD	HBD	LCVD	I
Accessory Residential Uses								
1. Accessory residential apartment above ground floor commercial (maximum 8 units <u>per building</u>)	N	N	N	N	SP	SP-Y	Y	SP ⁴

Comment: The proposed amendment would allow for up to eight accessory residential units “per building” versus the current eight total per lot and would allow for such units by right in the highway

business district. The amendment is intended to allow for more mixed use development within the Town and particularly within the highway business district consistent with recent economic development plans.

Amendment 3:

Section 5 Dimensional Regulations

Amend Section 5.1.4 Dimensional Table as follows:

5.1.4 Dimensional Table

District	Minimum Lot Area (Square Feet) ¹²	Maximum Building Coverage (%) ¹²	Minimum Frontage ¹ (feet)	Minimum Depth of Front Yard/ Corner Side Yard (feet) ²	Minimum Depth of Rear Yard (feet)	Minimum Width of Each Interior Side Yard	Maximum Height (Stories/ Feet)
R-4 ³	62,500 ⁵	--	200	50/50	80	35 feet + 5 feet for each story over one	3/40 ⁴

³Alternate to Standard Minimums in Residential Districts: this alternate is offered to encourage more normally acceptable lot configurations, increased open space, decreased density, reduced lengths of roads, utilities and drains, and to legalize potential nonconforming uses:

- The minimum lot area shall be increased by 250 square feet for each foot, or fraction thereof, of reduction of the minimum frontage measured at the street line.
- The minimum frontage may be reduced to not less than 75% of the standard minimum of the affected zone, but not to less than 100 feet.
- Any lot designed under this alternate shall be prominently identified on plans submitted for approval and/or endorsement

Comment: The proposed amendment would reinstate the ability to utilize the alternate minimum standard in the R-4 zoning district and originally adopted in response to concerns raised with regard to the impact of the application of the alternate minimum standard in the R-4 zoning district resulting in excessive frontage lot with reduced frontage creating a negative impact character this district. The current amendment has been included based on an informal request to this office and after consultation with Zoning Board of Review but may be better presented as a petition by such interested parties.

Amendment 4:

Section 5 Dimensional Regulations

Amend Section 5.1.4 Dimensional Table as follows:

Dimensional Table

District	Minimum Lot Area (Square Feet) ¹²	Maximum Building Coverage (%) ¹²	Minimum Frontage ¹ (feet)	Minimum Depth of Front Yard/ Corner Side Yard (feet) ²	Minimum Depth of Rear Yard (feet)	Minimum Width of Each Interior Side Yard	Maximum Height (Stories/ Feet)
LBD	10,000	40 50	50	15/15 ^{6,7}	See note 8	15 feet ^{6,7}	3/40
HBD	10,000	30 40	50	70/50 ^{6,7}	See note 8	15 feet ^{6,7}	34 /40 45
LCVD	10,000	75	50	0/0 ^{6,7}	See note 8	5 feet ^{6,7}	4/45
I	20,000	50	50	50	20 ^{9,10}	20 ^{9,10}	3/40 ¹¹

Comment: The proposed amendment would allow for increased building stories/ height 4/45' and maximum building coverage 40% within the Highway Business zoning district and increased maximum building coverage in the Local business district to encourage more compact development and reflect previously reduced parking requirements.

Amendment 5:

Section 8.8 Signs

Amend Section 8.8.8 Temporary Signs as follows:

8.8.8 Temporary Signs

8.8.8.1 Temporary exterior signs are permitted to advertise: the opening of a business at its new location; to advertise a special event at its intended location including such events at an existing business; or to advertise political candidates, campaigns, or programs.

8.8.8.2 Such signs shall not exceed thirty-two (32) square feet.

8.8.8.3 No two or more such signs shall be closer than five hundred (500) feet apart on land in contiguous ownership.

8.8.8.4 Any illumination of such permitted sign shall not exceed the allowed limits in the district in which it is located.

8.8.8.5 All temporary signs require a permit from the Building Official.

8.8.8.6 All such temporary signs as herein described must meet the approval of the Building Official regarding safety of construction, placement, mounting and lighting. By written notice specifying the corrections needed, the Building Official shall order the immediate action of the displayer to either make the corrections or remove the sign. If immediate action is not taken, the Building Official may, at his own initiative or with the enlisted aid of any other Town Department remove such sign.

8.8.8.7 All such temporary signs as permitted in this section shall be permitted on the same premises for not more than thirty (30) days, or each subsequent election, in the same calendar year. At the end of the period of permitted use, the sign shall be removed by the initiative of the company, organization, individual, or their agents, as indicated by the displayed information.

Comment: The proposed amendment would specifically allow for temporary commercial signage in conformance with the remainder of Section 8.8 Signs to advertise special events on a businesses location.

Amendment 6:

Section 9. SPECIAL REGULATIOINS by adding the following new section:

9.3 SUPPLEMENTAL WATER SUPPLY

9.3.1 Whenever an individual or a firm purchases for the purposes of subdivision or construction three (3) or more residential buildings on contiguous lots or a development of three (3) or more residential buildings or a commercial building of more than 2000 square feet of size which is not serviced by a public water supply the requirement of section 9.3.2 shall apply.

9.3.2 A dry hydrant system or a cistern shall be installed for the exclusive utilization of essential fire and maintenance personnel in accordance with the following:

a. Capacity - The capacity of these dry hydrant systems or cisterns shall be in conformance with the current requirements of NFPA 1231.

1. Capacity will be based upon the required flow for the structure being constructed.

2. For residential areas, a minimum capacity will be twelve thousand (20,000) gallons.

3. For commercial structures, the minimum capacity will be twenty five thousand (25,000) gallons.

4. Farm and agricultural uses will be exempt from these requirements for accessory use.

5. Residences shall not be exempt.

b. Dry Hydrants shall:

1. Have a four and one half inch (4 1/2) male National Standard Thread nipple with female cover located within fifteen (15) feet of maintained vehicle access.

2. Design of dry hydrants shall include usage of worksheet B 5.3.3 National Fire Protection Association.

3. Signage as described in Section 9.3.2 (g.).

c. Cisterns shall be designed in accordance with the current edition of NFPA 1231 and are to include:

1. A four and one half (4 1/2") National Standard Thread (NST) male connection with female cover within fifteen (15) feet of maintained vehicle access.

2. A maximum six inch (6") diameter drilled well with a minimum twenty five foot (25) casing and drive shoe, equipped with a minimum one half (1/2) horsepower well pump to provide a 5 10 GPM constant flow.

3. A minimum 32 inch inspection manhole.

4. An 8 inch vent constructed of ASTM Schedule 40 PVC.

7-15 General Regulations

5. A clappered Siamese two and one half inch (2 1/2") female National Standard Thread fill connection.

6. A lighted control panel with green power indicating light emitting diode (LED), and low level flashing red indicator and orange pump running indicator. These indicator lights shall be appropriately labeled. The developer must construct a mounting panel and have metered power connected to the cistern after obtaining all necessary electrical permits.

7. The tank itself shall be constructed of reinforced concrete and be lined with an approved plastic liner or rubber membrane. All components shall be consistent with the specifications of NFPA 1231.

8. All suction and fill piping shall be ASTM Schedule 40 Steel. Vent piping shall

be ASTM Schedule 40 PVC with glued joints painted with an epoxy paint to prevent ultra violet degradation. Suction piping shall be painted red. All other exposed piping shall be painted black.

9. Suction piping inside the tank shall be of a size to deliver the required fire flow and shall have a listed mesh screen installed vertically at the bottom of the cistern at a height of six inches off the bottom of the cistern attached to a 4' by 4' by 1/4" anti vortex plate.

10. All fire department pump and suction connections shall be protected from damage by either stantions, posts or landscaping.

11. All electrical controls, boxes and manholes shall be locked with "keyed alike" padlocks.

12. Master lock number shall be obtained from the fire department.

13. Signage as described in Section 9.3.2 (g).

d. Prior To Construction:

1. Plans shall be reviewed and stamped by a Certified Fire Protection Engineer. When plans are submitted to the Fire Chief, they must be accompanied by a five year bond equaling the replacement cost of the entire system as determined by the Fire Chief.

2. The developer/builder shall provide the Fire Department's water supply account with funds necessary to cover all costs of maintenance for five (5) year after completion and acceptance. This amount will be determined by the Fire Chief. Should the full amount not be utilized, the remaining balance will be returned to the developer by the town at the end of the five year period.

e. After Completion Of Construction, final as built drawings must be submitted and an acceptance test conducted by the Town of Seekonk Fire Department.

f. Prior To Issuance of The Building Permit for the third residence, these systems shall be complete and fully operational.

g. A Sign shall be installed which has a minimum one inch white reflective letters on a red reflective background and shall state:

<u>FIRE DEPARTMENT CISTERN</u> Capacity _____ ID # _____	<u>or</u>	<u>FIRE DEPARTMENT DRY HYDRANT</u> Capacity _____ ID # _____
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Comment: The proposed amendment would provide regulations for the provision of cisterns or dry hydrant in locations not serviced by public water. Please note that should the proposed amendment be forwarded to Town Meeting for adoption it is recommended that consideration be given to the creation of a revolving fund to provide a source for inspection, testing, and maintenance. Should the amendment be adopted and ultimately approved by the Office of the Attorney General companion provision will need to be adopted in to the **Rules and Regulation Governing the Subdivision of Land in the Town of Seekonk**

Thank you.

To see if the Town will vote to amend the Town of Seekonk General Bylaws, Category 5C, Departmental Revolving Funds, by adding a new Section 5.13 shown below in, or take any other action relative thereto.

5.13 Fire Cistern Revolving Fund

5.13.1 Fund Name. There shall be a separate fund called the Fire Cistern Revolving Fund authorized for use by the Fire Department.

5.13.2 Revenues. The town accountant shall establish a Fire Cistern Inspection Revolving Fund as a separate account and credit to the fund all of the specific fees, charges or other receipts, charged and received by the Fire Department in connection with the inspection or administration of inspecting fire cisterns for subdivisions.

5.13.3 Purposes and Expenditures. During each fiscal year, the Fire Department may incur liabilities against and spend monies from the Fire Cistern Inspection Revolving Fund to purchase, support and maintain all inspection supplies and services related to the service/operation of fire cisterns.

Fiscal Year Expenditure Limit: \$ _____.