

SEEKONK PLANNING BOARD
Public Hearing, Regular and Work Session
Selectmen Meeting Room
January 10, 2023

Present: Ch. D. Sullivan, D. Roderick, P. L. Dunn, S. Escaler, B. Hoch and John Aubin (Town Planner)

Absent with cause: S. Foulkes and P. Aguiar

Ch. D. Sullivan opened the meeting at 7:01 PM

Public Hearing:

1. Definitive Subdivision Application of **Alfred Dos Anjos** for a 5-lot Conservation Subdivision of land located at **355 Elm Street** being AP 16, Lots 11 & 172 in an R-2 Zoning District **to be continued to January 24, 2023.**

D. Sullivan introduced the petition to the board.

D. Roderick made a motion to open the public hearing, seconded by B. Hoch.

Roll Call: All members stated their names and said AYE.

Motion to waive the reading of the legal notice made by P. Dunn, seconded by D. Roderick.

Roll Call: All members stated their names and said AYE.

J. Aubin explained to the board why the application will be continued.

Motion made by D. Roderick to continue this hearing until the next meeting dated Jan 24th, 2023. Seconded by P. Dunn.

Roll Call: All members stated their names and said AYE.

2. To consider amendments the *Rules and Regulations Governing the Subdivision of Land in Seekonk, Mass* described as follows:
 - a. Revise Section V – Definitive Plan (§ 5.3; regarding submission contents)
 - b. Revise Section VIII – Construction of Ways and Installation of Utilities (§§8.5.3.1 Streets and Roadways, 8.6 Curbing, 8.7 Sidewalks, and Section 8.13 As-Built Plan; regarding roadway installation and grading, curbing, sidewalks, and as-built plan requirements)
 - c. Revise Section VIII – Construction of Ways and Installation of Utilities (§§8.6 Curbing; 8.7 Sidewalks)
 - d. Revise Appendix I – Construction Details (amend Details 1 and 11)

D. Sullivan read the next petition to the board and asked for a motion.

A motion was made to convene this public hearing by B. Hoch. Seconded by D. Roderick.

Roll Call: All members stated their names and said AYE.

A motion to waive the reading of the public notice was made by P. Dunn. Seconded by D. Roderick.

Roll Call: All members stated their names and said AYE.

J. Aubin introduced the second item on the agenda and stated that there have not been any changes since the last time the board has looked at the Rules and Regulations. The one note he wanted to highlight, were the details that were included with the packet which had been updated to reflect the language changes.

D. Sullivan asked if anyone would like to speak in favor or against this matter and no one stepped forward. D. Sullivan asked if any members of the audience had any general questions and saw none.

B. Hoch made a motion to close the discussion. Seconded by D. Roderick.

Roll Call: All members stated their names and said AYE.

Motion to accept the amendments as noted by B. Hoch and seconded by P. Dunn.

Roll Call: All members stated their names and said AYE.

VOTE 5-0-0

J. Aubin stated that these are effective immediately and will be published on the website as soon as possible.

Regular Business

3. Site Plan Application of **Raising Cane's** for construction of a fast-food restaurant, for the property located at **175 Highland Ave** being AP 8, Lot 1410 in a Highway Business Zoning District.

D. Sullivan introduced the next application for Raising Canes.

J. Aubin then further introduced the application in more detail. He stated that TRC has reviewed the application.

The applicants for Raising Cane's introduced themselves as Mathew Ashley and Eric Dubrule from Bohler Engineering. Ryan Smick, the project manager on behalf of Raising Cane's, was present as well.

M. Ashley started the presentation by introducing the general location of where the building is located at 175 Highland Ave. He stated that the previous building location was a Pier 1 Imports store and is currently vacant. M. Ashley stated that they appeared in Seekonk in March of 2022 for the preapplication meeting and also had attended a zoning board meeting in June 2022 where they had to attain 3 variances which were ultimately approved.

E. Dubrule then gave a synopsis of who Raising Cane's is and what the business is about. He stated that Raising Cane's prides themselves not only their service and quality of product, but also their attention to detail outside of the building as they take great care of the surrounding landscaping.

M. Ashley had presented a site rendering that shows the redevelopment of the previously established Pier 1 lot. He stated that they will be proposing to reuse the existing utilities in place such as the water, septic, gas, and electric. M. Ashley stated that the landscaping is a very important part of Raising Cane's and something they strive to go above and beyond in. Lastly, Raising Canes is very excited to be in Seekonk.

D. Sullivan asked the applicants what exactly the three variances were for in regards to their zoning applications. M. Ashley replied.

J. Aubin clarified that they didn't trigger any conservation concerns. M. Ashley replied that they did not.

D. Sullivan asked if the Board of Health has acted on the septic plans submitted. M. Ashley replied that they have not been submitted as of yet but will be soon. D. Sullivan asked the applicants where the septic system will be going on the property. M. Ashley replied that the larger development has an existing large septic system that handles everything and they plan to tie back into that. He stated that the septic fields are to the South in the parking lot area and will tie into an existing sewer connection.

J. Aubin stated that the BOH approval will be a condition the board would want to add to the decision.

D. Roderick asked what the average service time is for the drive thru and walk-up customers. The applicants answered by saying it varies but the average is between 2-2 ½ minutes. He also stated that there are dual lanes and explained how the flow of the drive through works.

A conversation about the handicap parking spots was had.

D. Sullivan asked for a motion to approve the site plan application as presented with condition of approval from the BOH on the septic and a final TRC review.

Motion made by D. Roderick and seconded by B. Hoch.

VOTE: 5-0-0

4. Site Plan Application of **Bocada Enterprise, LLP for Tasca Automotive Group** for proposed site redevelopment for the property located at **176 Fall River Ave and 135 Taunton Ave** being AP 14, Lot 80, 81, 82 & 95 in a Commercial Zoning District.

D. Sullivan read the next application to the board.

Brian Thalmann stated that he will be presenting the site plan application for the Tasca Automotive group. He stated that they are asking to demolish the existing Mazda and quick lane facility and replace it with a more modernized dealership which would help increase the number of service bays. As part of this, they will be substantially upgrading the stormwater management system. He stated that because the parcel is impacted by some off-site wetlands, they did meet with the Conservation Commission and they did provide some feedback. They are now entering the peer review phase that will actually be a dual peer review with Planning and Conservation departments and with Fields Engineering from Mattapoisett. B. Thalmann explained that this is a rebranding where they are updating their look. He stated that they are looking to reduce the number of impervious services. Also, they will be sliding the main entrance slightly West per Dave Cabral's feedback. He also stated that they were present at two TRC meetings.

D. Sullivan clarified what buildings were being demolished. B. Thalmann stated that it is just the Mazda building that is to be demolished.

B. Thalmann then gave an overview of their timeline in this project. He then went on to discuss some of the feedback that was received from the TRC meetings attended.

D. Roderick asked the applicant if the dimensions for the old Mazda building will be changing. B. Thalmann stated that the new building will be significantly bigger than the old one. J. Aubin stated that the existing building is about 7,000 S.F. and the proposed building will be 16,000 S.F. There will also be a new private fire hydrant on site.

D. Sullivan asked if the water sprinklers in the Ford building are installed. B. Thalmann stated that they are not but that it is currently being addressed with the fire department and the superintendent of the water department.

J. Aubin recommended the board make a few conditions such as the completion of the joint peer review with the conservation commission, Board of Health review for the septic system, and the plan shall conform to Section 8.1.3 Parking.

P. Dunn asked if there is an existing septic system and B. Thalmann stated that there is and stated that the new stormwater system is a vast improvement over what it is today.

B. Thalmann wanted to make one more comment before the vote was taken. He stated that corporate Mazda is facilitating this project from the West coast. Being on the east coast for this project, things work differently over here and he wanted to express his gratitude to the people in Town Hall on the Planning and Conservation departments that he has been working with as everyone has been extremely helpful and accommodating.

J. Aubin recommended if the board were to make a motion, to approve the application with conditions such as completion of the joint peer review with the Conservation Commission and Planning board and to be in strict conformance with section 8.1.3 Parking in the Zoning by-laws.

Motion to approve with stated conditions by Town planner made by B. Hoch, seconded by D. Roderick.

P. Dunn opposed.

VOTE 4-1-0

5. Consider the adoption of the following Master Plan Elements in accordance with **Massachusetts General Law Chapter 41 Section 81D Master Plan; economic development supplement:**

- a. Economic Development Plan**

- b. Land Use Element**

J. Aubin introduced the next agenda item and gave further details regarding the master plan. He stated that they have had multiple hearings and presentations and at this point, this will be the last form vote to adopt these two elements. SRPEDD has had a hand in drafting the elements. J. Aubin also stated that both elements have been posted on the website for over a year now and many efforts have been made to get the public's participation.

**P. Dunn made a motion to adopt the Master Plan elements of land use and economic development as presented by the Town Planner and seconded by D. Roderick.
VOTE 5-0-0**

Work Session:

6. Town Planner Update

SUBDIVISIONS

- ANR application of **Kenneth H. and Lois H. Tatarian** to divide parcel into two conforming lots for the property located at 1636 Fall Rivel' Avenue, being AP 4, Lot 21.
- ANR application of **George Murphy** to subdivide existing lots into six new lots for the property located at **135 Hope Street**, being AP 18, Lot 29.
- ANR application of **Patrick and Alison Fitzgerald** to extend rear lot line to conform with Zoning regulations in order to construct a swimming pool and shed for property located at **18 Richard Banna Way**, being AP 20, Lot 664.
- **"Elm Estates"** Preliminary Subdivision Application of **Alfred Dos Anjos** for a 4-lot Conservation Subdivision of land located at **355 Elm Street** being AP 16, Lots 11 & 172 in an R-2 Zoning District. Definitive Plan application submitted public hearing scheduled for January 24, 2022.
- **"Berson Estates"** for proposed 13-lot residential subdivision of land located at **0 Pine Street** being AP 28, Lot 20 in an R-4 Zoning District. Certificate of safe Passage issued; residential construction commenced.
- **Magnolia Court**, 10 Lot residential subdivision of land located off Walker Street. Initial paving completed. Certificate of safe Passage issued; residential construction commenced.
- **Pine Brook Court** Definitive Subdivision application for development of a nine (9)-lot residential subdivision located at 0, 224 and 250 Arcade Avenue being AP 21, Lots 18, 277 and 305 in an R-2 Zoning District. Residential construction ongoing.
- **Farmland Estates** 12 lot residential subdivision located off Lincoln Street- sidewalk installation completed final paving and clean up and acceptance application pending.
- **Kathleen Court** 16-lot residential subdivision off Lincoln Street - construction ongoing.
- **Jacob Hill Estates** 11 lot residential subdivision off Jacob Street - acceptance application filing pending.
- **Pine Hill** (Jacoby Way) 9 lot residential subdivision off Newman Avenue HOA completing outstanding work required before acceptance.
- **Brigham Farm III** Conservation Subdivision application of **Gary Sagar** for proposed 8-lot definitive subdivision of land located off Burnside Avenue being AP 36 lots 2 and 11 and AP 35 lot 20 conditional approval granted August 10, 2021. Culver installation September 2022.
- **Winterfell** 11 lot definitive subdivision of AP 1, lot 24 off Warren Avenue. Acceptance approved by Fall Town Meeting. Open space delineation pending.

- **Stone Ridge** 11 lot definitive subdivision located off Walker Street final paving and sidewalk installation completed. Final close out and acceptance application anticipated Spring 2023
- **Country Brook Estates** 18 lot residential development discussion with homeowners held June 14, 2022. Modification approved October 10, 2022, modification work commenced Executive Session scheduled for January 10, 2023.

Site Plans

- Site plan application of **Raising Cane's Chicken** to construct a restaurant with drive-thru lanes on the property located at **175 Highland Avenue**, being AP 8, Lot 36. Planning Board review September 13, 2022 conditional modification approval granted
- Site plan application of **Bocada Enterprises LLC** for proposed redevelopment and construction of additions to the existing automotive sales and service use at **176 Fall River Avenue** being AP 14 lots 80-82 and 95.

Amendments

- MGL Subdivision Control Law recommended amendment submitted to General Court Delegation. Invitation to upcoming Planning board meeting pending in February/March
- **Rules and Regulations Governing the Subdivision of Land in the Town of Seekonk** Public hearing scheduled for January 10, 2023 – Just adopted
- 5-year Master Plan update drafting ongoing - Just adopted
 - OSREC Plan: working to get final revisions done
 - Housing Production Plan FY 2023-24 will be having a kick-off meeting with SRPEDD in February/March

MISC

- Preliminary FY 24 Budget prepared
- MA Community One Stop for Growth Grant; Rt 6 corridor study. Consultant: GPI BOS presentation January 2023 Planning Board public outreach session Feb 2023
- SRPEDD Brownfields area assessment study commenced; work ongoing
- Stormwater Utility financing: meeting held with say the Bay, SNEP, and UNC Environmental Finance Center. BOS presentation February 2023
- Attleboro Dye Works:
 - Site remediation funding by MassDevelopment ongoing; Consultant: ESM
 - EPA Technical Assistance Program preliminary conceptual site layout designs completed.
 - One Stop for Community Growth Grant to assess infrastructure ongoing; Consultant: ESM
 - Pond St Bridge design preliminary surveying and engineering ongoing
 - Dam removal assessment ongoing
- Joint meeting with the Seekonk BOH and Superintendent of the Seekonk Water District February 2023, proposed February 28th 2023.
- Sowams National Heritage Area feasibility study on going
- Stormwater Advisory Committee
 - Stormwater Utility Financing Webinar attended
 - MS4 Annual Report submitted

- Ongoing assessment and remediation of identified and prioritized stormwater issues
- Drain labels installation complete – 1,712 locations marked through Save the Bay
- Dog waste signage scheduled for installation
- Informational signage (Arcade Woods, Gamino, Burr's Pond) under development

7. Member Reports/SRPEDD Update

No meeting updates

8. Approval of Minutes: December 13, 2022

One mistake found, should state that S. Escaler was absent from meeting.

Motion to accept the amended minutes made by D. Roderick. Seconded by B. Hoch.

S. Escaler abstained.

VOTE 4-0-1

Adjournment

Meeting adjourned at 7:58

Town Council then read “Executive Session pursuant to G.L. c.30A, §21(a)(3) to discuss strategy with respect to potential enforcement action/litigation regarding **Costa Development** for **Country Brook Estates**, conservation subdivision located at Antonio Dr. being Ap 15, Lot 302 in a R3 Zoning District, as having the discussions in open session would be detrimental to any potential litigation or the position of the Town, votes may be taken.”

Roll Call vote:

Ch. D. Sullivan AYE

D. Roderick AYE

P. L. Dunn AYE

S. Escaler AYE

B. Hoch AYE

VOTE 5-0-0

Respectfully Submitted by,

Stephanie Iagatta, Secretary
Planning Board

Formally accepted on 2/28/23

5 in favor, 0 against, 2 abstentions

[Full Video available to view on TV9 Seekonk Community Access Television](#)

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Link: <http://tv9seekonk.com/>