

**SEEKONK PLANNING BOARD**  
**Joint Meeting with the Select Board**  
**Select Board Meeting Room**  
**September 27, 2023**

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Present: Ch. D. Sullivan, Phoebe Lee Dunn, B. Hoch, S. Escaler, D. Roderick, and J. Aubin, Town Planner

Absent with Cause: S. Foulkes

**Ch. Sullivan opened the Joint Meeting at 6:31 p.m.**

**Roll Call Vote:**

S. Escaler: Aye  
P. L. Dunn: Aye  
D. Sullivan: Aye  
B. Hoch: Aye

Ch. Healy announced that the Planning Board will be discussing amendments to Sections 1.2, 4.2, 5, 8.8, 9 of the Zoning By-laws.

J. Aubin summarized the amendments in coordination with the Zoning Board of Appeals (ZBA), Building Department, Department of Public Works (DPW), and the Fire Department. He summarized the amendments to the Select Board.

Amendment 1: to change the Zoning By-law's general intent from prohibitive to permissive;

Amendment 2: to allow for up to eight 2<sup>nd</sup> (plus) floor accessory units "per building" above commercial use by right in the Highway Business District;

Amendment 3: to allow for the use of the "alternate minimum standard" within the R-4 Zoning District;

Amendment 4: to increase the maximum building / lot area coverage percentage in the Local and Highway Business Districts and allow for a maximum height of 4 stories and 45 feet in the Highway Business District;

Amendment 5: to allow for temporary commercial signage to advertise special events at the location of the signage;

Amendment 6: to provide for regulations requiring fire safety cisterns or dry hydrants for developments lacking public water service

Mr. Aubin discussed the amendments individually for the Board as follows:

1. This by-law was last changed in 2016. There had been discussion on this topic during the Industrial Way Asphalt proposal. At that time, a list of specifically prohibited land uses was adopted. This current proposal was initiated by the ZBA.

M. Hines asked if the proposed amendments would have to go before the Town? Mr. Aubin replied yes and continued to explain the process to the Board.

2. This would allow for up to 8 accessory units per building as opposed to per site on the 2<sup>nd</sup> or above floors of commercial buildings within the Highway Business District. Mr. Aubin said this would encourage mixed-use development. In his opinion, the maximum 8 units per lot is a limiting factor. In the end, that number of units to be placed on the site is based on the Board of Health's approval because there are no sewers in town.

M. Hines noted that when Mr. Aubin read the amendment he added, "for up to eight 2<sup>nd</sup> floor plus accessory units." Mr. Aubin explained that the verbiage could allow for someone to apply this literally. He said that the intent would be to have residential units above 1<sup>st</sup> floor commercial. He clarified for the Board that there would be commercial use on the 1<sup>st</sup> floor with accessory uses above that. J. Sullivan asked for the verbiage to be clarified to avoid confusion. Mr. Aubin advised writing this amendment as "8 units above 1<sup>st</sup> floor commercial."

3. This would allow for the alternate minimum standard within the R4 District. Mr. Aubin reminded the Board that approximately 3 years ago there had been a proposal to remove the R4 Zoning District from the alternate minimum standard. He went on to explain what the alternate minimum standard is: within the R2 and R3 Zoning Districts you can reduce your required amount of frontage by 50 square feet per foot; for every foot of frontage that you reduce, you have to add to the minimum lot area requirement 50 square feet of area. As you shrink down the frontage, your lot area gets increased. The overall density gets reduced, but at the street you would have what appears to be a denser requirement. This proposal arose from informal discussions in the Planning Office and with the ZBA. He said the biggest factor to understand is as you reduce your frontage down, you are increasing your required area. In effect, you are reducing the overall density in that particular parcel; however, you are going to see more houses along the roadway.

4. This would allow for an increase in the maximum building coverage to go from 40 to 50 in the Local Business District; from 30 to 40 in the Highway Business District; and increase the allowable stories from 3 to 4 and 40 to 45 in height within the Highway Business District. The reason for this amendment is to allow for bigger buildings on a property since the parking requirements had been reduced previously.

He noted that the structure height change is a result of some of the 40b applications where the building height has been at 4 stories or 45 feet. He said there have been no issues with the fire department. He explained that the ZBA had pointed out that within the Luther's Corner Village District 4 stories and 45 feet are already allowed.

5. This amendment came at the request of the Select Board with regard to temporary signage. This change was made to encourage business owners and make it clearer that they are allowed to utilize temporary signage within the Commercial Districts. The proposal is to add to Section 8.8.8.1 as follows "including such events at an existing business". There are no additional changes to the rest of the section.

M. Hines said the amendment initially was to allow for temporary commercial signage to advertise special events and offers. She went on to say that now it states “including such events at an existing business.” She asked for clarification on this. Mr. Aubin replied that you would still need a permit; offers can be added to the amendment. He asked for direction on how broad the Board wants to make this? M. Hines directed not to include “offers”; a signage amendment is to limit and structuralize everyone to do the same thing.

Ch. Healy’s original thinking was in regard to the LED signs for businesses. He believed these businesses can only put up one posting per day. Mr. Aubin’s concern would be what would happen if the ZBA had issued a Special Permit with conditions for signage. Mr. Aubin will discuss this with Town Counsel.

6. This would add section 9.3 supplemental water supplies/cisterns for developments (of 3 or more residential buildings) that are located outside the water service area. The Planning Board has been working on this for several years now. Mr. Aubin said Seekonk is relying upon tanker trucks from other communities for mutual aid. He noted that this would be the second time the town attempted this amendment; a number of the existing cisterns in developments (on either accepted or unaccepted roadways) have potentially inadequate provisions for the town accessing them and maintaining them.

Ch. Sullivan informed the Select Board that the Planning Board has been discussing cisterns for some time. During a meeting with town council, Zoning By-laws, cisterns and Subdivision Control Law were discussed. Town council made the recommendation on what the next steps were to proceed.

Ch. Healy agreed with Ch. Sullivan; however, he is not a supporter of cisterns because of the issues we currently have with the existing ones. In his opinion, developers should be relying on town water. He understands this is unrealistic because of where water lines end in certain parts of town. His hope is that if this is approved, everything be completed properly.

Ch. Sullivan noted that the issues with the existing cisterns have been discussed with the fire chief and the DPW superintendent. He went on to say that a revolving fund was talked about where the developer pays into this fund (town council believes we can do this, but will look into this further). The developer will have a secondary form of surety if they are outside of the water district, handled by the town; this will pay for maintenance, upkeep and inspections. If developers want to build outside of the water district, they know what their commitments are to complete this via the Zoning By-laws.

Ch. Healy asked about residential sprinklers? J. Aubin said his thought is to keep that verbiage in the by-laws as an option; it may make more sense, as far as cost, to install sprinklers.

M. Hines would like to see “or the designee” after the words fire chief added in the proposed amendments. Ch. Sullivan replied that this verbiage had been copied from another community, but will tweak the wording to better suit the town’s needs. He advised the Select Board to put any changes/suggestions in a memo to the planning office for any of the amendments.

P. Pozzi asked about the cost to maintain, test and inspect these cisterns? Ch. Sullivan replied that they are still researching this, but believes the numbers will be in the thousands. His research showed it to be several thousand per cistern on an annual basis.

J. Aubin noted additional costs that will be incurred such as maintenance for the landscaping around the cisterns and certified engineer to test them which is why the cost runs into the thousands. Ch. Sullivan said that Rehoboth has a good system that can be adjusted for the needs of Seekonk.

C. Zorra stated the during a conversation he had with Mr. Aubin, it would cost several thousands of dollars to get the broken cisterns operational. Ch. Sullivan replied that is one of the reasons for the revolving fund; to have developers contribute to this fund as part of their development plan will ensure future issues are handled.

Ch. Healy asked the Board to take a vote to approve these amendments as discussed tonight; it will then go back to the Planning Board for a public hearing.

**M. Hines made the motion, seconded by C. Zorra.**

**VOTE: 5-0-0**

**P. Dunn made a motion to end at 7:01 pm**

**Roll Call Vote:**

**S. Escaler: Aye**

**P. L. Dunn: Aye**

**D. Sullivan: Aye**

**B. Hoch: Aye**

**D. Roderick: Aye**

Respectfully Submitted by,  
Lori Trenteseaux, Secretary  
Planning Board

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*Formally accepted on: 10/10/23  
4 in favor, 0 against, 1 abstention*

**[Full Video available to view on TV9 Seekonk Community Access Television](http://tv9seekonk.com/)**

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