

**SEEKONK PLANNING BOARD  
REGULAR MEETING**

**MINUTES  
June 8, 2010**

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Present: Ch. Abelson, M. Bourque, W. Rice, R. Bennett, T. Clancy, S. Foulkes  
and L. Dunn  
J. Hansen, Town Planner

7:02 pm Ch. Abelson called the meeting to order.

**Definitive Plan: Public Hearing Farmland Estates – 337 & 349 Lincoln Street  
Applicant: Bernie Mastropietro and Loretta Ferreira  
Engineer: Landmark Site Design**

**R. Bennett made a motion to waive the reading of the public notice, seconded by M. Bourque and so voted unanimously by: Ch. Abelson, M. Bourque, W. Rice, R. Bennett, T. Clancy, S. Foulkes and L. Dunn**

Introduction to Board Members: Ch. Neal Abelson; Michael Bourque; William Rice; Ronald Bennett; Thomas Clancy; Sandra Foulkes; Lee Dunn; John Hansen, Town Planner.

Peter Lavoie Landmark Site Design I represent Bernie Mastropietro and Loretta Ferreira, they are here tonight. I do have a color plan for the Board to look at with revisions that are shown on the plan. This subdivision is located on Lincoln Street. There are two residents; 337 and 349 with two existing structures. There are three parcels consisting of 12.5 acres in size, it is mainly open field that has been farmed for a number of years. There is a wooded area in back and a very large wetland in back that flows to Elm Street, we also have a little wetland in this area, which is fed by drainage on Lincoln Street and Drohan Court, it discharges and created a wetland there. My clients are proposing a cul-de-sac approximately 825ø long. It will service 11 new homes, the two existing homes have existing driveways and curb cuts, and they will remain the same. The lots will change a little bit but other than that the lots will remain the same. Each new home will have a leach field with septic system per title 5. Each new home will have a recharge-to-recharge roof runoff called Stormtec, or Cultec infiltrators. They are plastic chambers that down spouts are tied into and that will recharge the house, which is basically clean water. All lots are serviced by town water, the drainage will consist of catch basins with 4ø sumps that will collect in the road and discharging it to a 4-bay which will handle the total suspended solids, and then it will be discharged into a water quality swale in this location here. At the end of the water quality swale, there will be a riprap level spreader to create sheet flow and not a concentrated flow. This 4-bay will hold the water a little bit but there is a slow drain that will discharge the water so there will be not water in that 4-bay after 24 hours; then it will discharge into a water quality swale to slow the water

down and to disperse it out. This project, we did file a determination of applicability with the Conservation Commission, we got a negative determination that means this project will not have a negative impact on wetlands, so we will not have to file a notice of intent for the construction of the road. Once the road is built and you review the individual house sites, Conservation will get involved. We have lots 8, 6, 5, and 4 that work will be done in the buffer zone so we will have to go back to Conservation when those house lots are designed.

There have been changes to the plan, I have not submitted them, and I was waiting to see if DPW, Fire, Police, Board of Health had comment letters. I have addressed all of John Hansen's concerns and DiPrete Engineering's concerns. I can go over some of the changes that I think are major to the plan. One major concern was the easement right of way, the access easement to the lot to the north. John required a 40' wide access easement. I added it to the plan. I reconfigured the house, the septic and driveway so if this did ever become a road, which my clients do not want; they like the cul-de-sac for a country look, if it ever did, this house and septic would conform to the front yard setback. It will also meet the area in the 100' square as required. I also met another requirement that DiPrete Engineering had made. Another requirement that was brought up was the existing house on lot 13 did not meet the side yard setback, so we are going to make that more conforming and will increase side yard and we are also going to increase this side yard on lot 1 because the side yard setback was close to the structure. I have revised the right of way width to 40. It was 50'. The zoning had changed when we did the preliminary plan, before it was 50' now it is 40'. All the lots have more area within the right of way. Right now it does not meet the side or front yard setback, by adjusting this line between lots 1 and 13, we will meet side yard setback but will not meet front yard, and I can't change that.

The waivers that we are requesting are for the length of the dead end street, which was approved at the preliminary stage; and one sidewalk on one side. I have had a number of conversations with my client on sidewalks. He would like the Board to reconsider getting rid of sidewalks for a number of reasons. One of the reasons is that there are no sidewalks on Lincoln Street or within any of the 7 cul de sacs in this area; none of them have sidewalks. This is in a rural section of Seekonk. The applicants like the ruralness they feel that by putting a sidewalk in there, they want to see grass all the way to the edge of pavement. They don't know who will be responsible to plow the sidewalks, the cost, there have been larger subdivisions than this that have been closer to schools with many more lots and they weren't required to have sidewalks. They would like you to please reconsider this waiver and it would minimize the impervious area as well. The state now is all into that low impact development. There really wouldn't be a lot of traffic on the cul de sac. The kids could play in the cul de sac.

- S. Foulkes      In my packet I received some plans but it I only got one sheet and it was a small plan, where are all the pages? It makes it easier to reference where are the rest?
- J. Hansen        We sent out the most comprehensive sheet with the majority of the information. The full plan set was quite a few sheets so it was the cost of mailing 12 sheets of the plan to 7 Board members. The full set of plans is in the office for anyone to look at. If the Board as a whole would like tax payer dollars to pay for more postage for all the Board members to have all sheets that is fine but
- Ch. Abelson      This is fine, usually we don't even get this.

- J. Hansen We just started doing this.
- Ch. Abelson At least this you get a heads up on the subdivision but to send out a whole set of plans in a larger scale, it would be cost prohibitive, it would be crazy.
- S. Foulkes I just think it makes it easier.
- W. Rice Was this development within the Cluster Subdivision bylaws?
- J. Hansen The Cluster Subdivision bylaw was not in affect when the preliminary was done but is applicable now, but Cluster Subdivisions are not mandatory, if the applicant chooses to he can but that is not the intent of the bylaw.
- W. Rice The other question I have is about the recharge basin, how do they recharge?
- P. Lavoie It is more like a septic system made up of plastic chambers with crushed stone around it, there is an area where clean water from the roof is being put into the ground to recharge in the ground, it goes to the bottom and then to the side, just like a septic system runs.
- W. Rice Was there any consideration given to porous pavement?
- P. Lavoie I did not look at porous pavement because of freezingí
- Ch. Abelson I have never heard of porous pavement being used on roads.
- W. Rice There has been extensive research done on porous pavement being used on roads.
- J. Hansen It appears most of the comments have been addressed. The only point I want to bring up is about the detail for the recharge areas and the next two bullets about the sidewalk on the opposite side of the street. Is there any reason why the sidewalks are put on that side of the street?
- P. Lavoie It would affect fewer houses, less driveways on that side of the street; there are fewer houses on that side. We would like the sidewalk to go away altogether.
- J. Hansen If the Board wants the applicant to keep the sidewalk, I recommend that you require them to put them. Per Section 5.3.17.5 it says that the sidewalks should be on the south side of east/west streets, if the applicant has a good reason, he should request a waiver if the board makes him keep the sidewalk on that side of the street. Also, the water department would like to see hydrants on the property line. Next bullet point is the information on the drainage easement on lot 3, and DI 1&2.
- P. Lavoie Those are drop inlets, I am trying to create swales to force the water to the catch basins in the grass, and I am trying to direct it where I want it. The homeowner association will be responsible for maintaining all of the drainage structures.
- S. Foulkes Requested one additional large copy of the plan for her personal use.

- J. Hansen I received comments from Betsey Frey the Transportation Director for the School Department for potential sites for bus stops. Her concern is about the bus stop and the curve in the road. I don't see any other alternative to place the road, I don't see anything you can change, but I would like to draw the board's attention that they have criteria recommended for placing bus stops. They make a concerted effort to provide at least 500' visibility in both directions on high-speed roads (i.e., 35 mph+), and at least 300' visibility on lower speed roads, when establishing bus stops. I would recommend the Board looks to adopt something like this; she makes a comment that she is happy we are asking for her comments. There is no other place to put this road off Lincoln Street due to the configuration.
- L. Dunn I have a wish that is not realistic, there are so many cul de sacs off Lincoln Street, I would like to see connecting roads in future. In nature of the land being private has there been any talk with your client about connecting with the two cul de sacs to the north and to the south?
- P. Lavoie Basically, this cul de sac is way over here and there is no connection to that one and Kenwood Drive, there is no opportunity for connection. This is all wet so we can't really do anything with that that is the reason why we put in the access easement over here. My clients would really not want the traffic from Route 44 to cut through here but that is what the Board wanted.
- L. Dunn Sometime in the near future, is that why you did that?
- P. Lavoie It was a requirement; John made a comment on his letter.
- J. Hansen When we discussed this at the preliminary stage in July of 2008, the Board advised connecting roads so this meets that requirement. It would be up to the abutting property to make the connection.
- P. Lavoie Who holds the rights to access easement, would the applicant own the rights to the access easement and then if the developer wanted to go across the easement?
- Ch. Abelson When we accept the road it would be deeded to the town, something written into the deeds.
- J. Hansen There would have to be something written in the deeds.
- P. Lavoie In some towns I have worked in, they let the owner of the lot own the rights, so if this developer wanted to develop that portion, they would have to pay.
- J. Hansen The problem with that, is then we aren't guaranteed a connection. You just said, if you have to pay if they ask an astronomical price that is why it would be an easement with the town once it is accepted. The second condition is that appropriate easements shall be submitted for the tie-in and elimination of the cul de sac. Basically, what that means is if that road ever gets connected, we can get rid of the cul de sac, we don't need a situation like we have at the end of Jane Howland where when phase E ended you had a cul de sac and then when the next phase was constructed you had another cul de sac with the original cul de sac still there. It should have been eliminated but this is the point where you have that ability to require that through an easement or some other mechanism to make sure that land reverts to grass or some other form if the road ever gets connected.

Opponents to speak

Bernie Mastropietro 349 Lincoln Street, I have lived at that address for 39 years and we have not had sidewalks through generations of families. By putting a sidewalk there, I think it detracts from the development as far as a rural setting, along with the seven additional ones (developments) that are already there. I am the only one to put a sidewalk that leads to nowhere except to a double-lined road on Lincoln Street, which is actually a cut through. Since it is a cut through, I don't think any children that grow up on Rose Ann Ct. or Farmland Estates are going to be on Lincoln Street. My concern is safety and keeping a country setting. There are seven subdivisions that abut mine; they all don't have sidewalks.

Kristen Mastropietro I grew up without sidewalks, I agree it takes away from country look. Sidewalks are usually located where you have somewhere to go like restaurants and shopping areas. There are safety issues to take into consideration. Also if you want to plant trees along the sidewalk over the years the sidewalk will become corrupted and it will take time and money to repair.

Proponents to speak

None

L. Dunn I think it would be appropriate to say why we asked for sidewalks.

M. Bourque I believe in the safety of sidewalks. There are other subdivisions on Lincoln Street and I don't know why the board gave way not to have sidewalks. People build to the street; it takes away from the sidewalks.

S. Foulkes Even though we have an ð amount of subdivisions without sidewalks, we are trying to encourage ðwalkabilityð and if we are going to change that we need to start changing that now. We have cul de sacs with sidewalks on one side. The traffic on Lincoln Street is not as fast as the traffic on Arcade and Newman, people are not comfortable walking on someone's grass, it is more of a safety feature.

Ch. Abelson People landscape all the way to the road, we used to do it for grass sidewalks.

R. Bennett One side is the compromise.

J. Hansen I forgot to mention on my bulleted list; the detail on the recharge areas, the construction is to be included on the deeds of the individual lots. My concern is if the recharge areas don't get built that could be an issue or if someone buys a house and doesn't know what it is and rips it out. It says here a split rail fence is proposed on lots 8 and 9; is it to be constructed by the developer or will you put it on the deeds for the future homeowner.

P. Lavoie The developer should probably put the fence up.

J. Hansen The Board should make a motion on the waivers so we have a direction on the official dead end street length and then if the Board goes along requiring sidewalks on one side so if you do want to require them on one side then the petitioner should be made aware on whether or not to keep it in the current location, north and south side.

P. Lavoie Do you only have one meeting in July? Can we push it to the second meeting?

Ch. Abelson Do we want to continue the public hearing? We have heard the testimony.

J. Hansen If you think you will have questions for the applicant then keep it open.

S. Foulkes I would like to keep the public hearing open so we have an option.

L. Dunn Then we can have more of a dialogue.

J. Hansen This is the dialogue.

T. Clancy made a motion to waive the sidewalk requirement, seconded by N. Abelson **and so voted by:** T. Clancy and Ch. Abelson; Against: M. Bourque, W. Rice, R. Bennett, S. Foulkes and L. Dunn voted against the motion. Motion fails.

**VOTE: (Approve 2-5) Motion Fails**

T. Clancy Sidewalks to nowhere are useless.

Lee Dunn made a motion to have sidewalks M. Bourque seconded sidewalks on one side as proposed on the north and east side as shown **and so voted by:** M. Bourque, W. Rice, R. Bennett, S. Foulkes and L. Dunn.

T. Clancy and Ch. Abelson voted against the motion.

**VOTE: (Approve 5-2) Motion Passes**

W. Rice made a motion to waive the length of street, 7.2.4.1 ó 825ø dead street length; The length of permanent dead-end streets shall not exceed the frontage that would allow for a maximum of six (6) lots having the minimum frontage permitted under zoning along each side of the street. The minimum frontage in an R-2 Zoning District is 120ø 6 lots x 120ø = 720ø ó maximum length for a dead street on this site. There were no comments from Fire Department. R. Bennett seconded **and so voted by:** Ch. Abelson, M. Bourque, L. Dunn, S. Foulkes, T. Clancy, R. Bennett. Against: W. Rice

**VOTE: (Approved 6-1) Motion Passes**

R. Bennett made a motion to continue the Public Hearing until July 27, 2010 so DiPrete Engineering can review and comment on the revised plan. S. Foulkes seconded and **so voted unanimously by:** Ch. Abelson, M. Bourque, W. Rice, R. Bennett, T. Clancy, S. Foulkes and L. Dunn.

**VOTE: (Approve 7-0) Motion Passes**

**No correspondence**

**Approval of Minutes**

Lee Dunn made a motion to approve the minutes of 4/13/10 with several corrections; M. Bourque seconded, **and so voted unanimously by:** Ch. Abelson, M. Bourque, T. Clancy, W. Rice, R. Bennett, S. Foulkes and L. Dunn

**VOTE: (Approve 7-0)**

J Hansen            The Planning Board talked in the past about social networking and looking at Youtube, to reach out to anybody who does not have cable.

Lee Dunn made a motion for John Hansen to investigate putting Planning Board meetings on YouTube, M Bourque seconded **and so voted unanimously by:** Ch. Abelson, M. Bourque, T. Clancy, W. Rice, R. Bennett, S. Foulkes and L. Dunn

**VOTE: (Approve 7-0)**

**Adjournment**

M Bourque made a motion to adjourn, seconded by R Bennett **and so voted unanimously by:** Ch. Abelson, M. Bourque, T. Clancy, W. Rice, R. Bennett, S. Foulkes and L. Dunn

**VOTE: (Approve 7-0)**

The meeting adjourned at 9:15 pm

Respectfully Submitted by:

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Christina Testa, Secretary