

**SEEKONK PLANNING BOARD
REGULAR MEETING**

**MINUTES
June 22, 2010**

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

7:03 pm Ch. Abelson called the meeting to order.

Discussion: Drive-thru Bylaw

J. Hansen We discussed in February 2010 to postpone the analysis of a proposed drive-thru bylaw until after the Spring Town Meeting. As you recall we examined two proposals for allowing drive-thru facilities. One proposal was to allow them by-right in Highway Business zones and with a special permit in Local Business zones. A second proposal indicated that a third business district should be created where drive-thru facilities would be prohibited. This prohibition would be in areas that were pedestrian-friendly, thus in conflict with an auto-dependent use as a drive-thru.

Discussion of the drive-thru bylaw by Planning Board members

J. Hansen I think this should be in a form of a motion so we have some direction. We will have a public hearing on this in late August so it is all set to go to be adopted at the Fall Town Meeting. Motion phrased by Town Planner J. Hansen

Motion: Amend the zoning bylaws to create a new zoning district General Business for the current Local Business zones at Baker's Corner, along Route 44, at the Benny's Plaza on Central Avenue and Fall River Avenue from Anthony Street to Warren Avenue and make that zone allow drive-thrus by-right. In Local Business zones at Briarwood Plaza, Oak Hill and Central, Oak Hill and North, and Brook and Newman prohibit drive-thrus and in Highway Business zones have drive-thrus by-right.

Motion moved by B. Rice and seconded by R. Bennett and so voted by: Ch. Abelson, L. Dunn. S. Foulkes, M. Bourque, B. Rice, R. Bennett

VOTE: (Approved 6-0)

Discussion: Scenic Road Bylaws

J. Hansen This is another bylaw we discussed this past winter. It was decided to be put it off until the Fall Town Meeting. We previously finalized the terms of its content we just need to decide on the roads that we want. I went out driving with the Conservation Agent and we decided on three candidate roads; Prospect Street,

School Street only from Raymond to Leavitt, and Lincoln St. from Lake to Drohan Ct.

After a discussion of Scenic Roads Planning Board members decided to bring in their own lists of what streets they think would meet the criteria of a scenic road for the bylaw. These streets will be discussed at the July 13, 2010 Planning Board meeting. It will also be determined at that meeting when the informational meeting on Scenic Road Bylaw for the public will be held.

Discussion: Subdivision Rules and Regulations Amendments

- J. Hansen I try to put out at least two different sets of Subdivision Regulation amendments per year. What you see here are several changes, some substantive and some non-substantive. The non-substantive changes are meant to codify the procedures that we currently perform. The other changes are a result of recent discussions we've had that are significant. Some are changes to our Plan Submission which have to do with our forms and check lists. They have been updated over the past few months we have been trying to make them more updated and user friendly. Since the forms are part of the Subdivision Regulations they need to be adopted by the Board and put in the subdivision regulations. Any comments on Plan Submission?
- S. Foulkes Question on Street Trees Section 8.12.1. Who will plant the trees?
- Ch. Abelson The developer.
- S. Foulkes Where we say "new trees shall be planted before binder course application" can we say that the mulch be applied in a donut hole around the tree? The reason being is if the mulch is too close to the trunk it reduces the life of the tree.
- J. Hansen Yes, I don't see why not. Do you have specific language you want to use?
- S. Foulkes I will see if there is a technical way to say this.
- J. Hansen I think I have seen the language on landscaping plans I will check into it. I will put addendum to it. Sandy just forward that to me. So we want to update Street Trees to include planting standards.
- S. Foulkes On Form K Inspection of Construction, date approved and approved by, some signatures are not legible. Can we have an area so they can print legibly and an area for the name of the company?
- J. Hansen We will look at it and try to fit something in on the Form K.

Other amendments; the Recording/Courier Fees, we have adopted those in the past but never put them in the sections so that is what you will see in section 5.9.2 and 6.11.

Going forward the Easements section 7.4.1 The Conservation Agent and I have discussed and would like to see drainage easements on common land or on home owner's association land. The reasoning is that when detention basins, swales or other drainage systems are placed on a private land the owners feel it is their land to do with what they want. I think it is a good idea to put into our new subdivisions going forward, parcels of land that are specifically stated as drainage easements, parcels that are non-buildable and just for the drainage structure.

- R. Bennett I think it is a good idea but I feel it should be isolated, maybe a fence around it.
- S. Foulkes Will it be labeled that the area is to be maintained by the town?
- Ch. Abelson I think it is recorded on the deed.
- J. Hansen It has been brought up about fences around detention basins for safety reasons. I will check around to see what other town regulations are. A properly worded easement should spell it out.
- S. Foulkes I feel it needs to be made more definitive as far as where these areas are.
- B. Rice We can't realistically have developers put a fence around these easements.
- S. Foulkes I agree, I just want to make it so obvious that it isn't misconstrued.
- B. Rice If it is in the deed and in the zoning bylaws that should be good enough.
- J. Hansen We talked about Bus Stops at our last meeting I put in some new language in section 7.1.
Street Trees Section 8.12.1, this is to codify what had been said previously about trees being planted before binder course.
The last topic to discuss is Section 8.3.1 Fire Alarm Box.
We discussed four mechanisms; a fire alarm box where there is water from the Seekonk Water district, Subsurface Water Storage, Individual Sprinkler System or Tanker truck. I talked with the Building Dept., Finance Director and the Fire Dept. The Fire Chief said that at first glance it looked good and he would endorse it however he wants to have his Lieutenants review it. So by the time we bring this forward for a public hearing we should have their comments. The Building Official comment was with our current language which if you look in 8.3.1 under the proposed language the third paragraph down about no occupancy permit shall be issued unless the fire alarm box (es) are installed. She said she doesn't have the ability to restrict occupancy permits because once the building permit is issued there is no way of keeping someone out of the house.

My suggestion would be to do the same as we do for street trees and that is to say fire alarm boxes need to be installed prior to binder course that way you get them in before the home owners are there and you are assured they will be safe.

M. Bourque We can accept payment and then the fire dept. can put them in during build-out.

B. Rice I agree with John that we require them before the binder coat goes on so they are there.

M. Bourque I don't have a problem with that. I have received some information on Individual Sprinkler Systems from an agency. It is a trend in the western part of the country. The Northeast is slow to accept this as part of their code. I have a disc and information book and if anyone wants to take it home to look it. You can run them off the house well it is designed just to get you out of the house safely.

J. Hansen The Building Official mentioned to me that the building code with the individual sprinkler system requirement will be adopted in 2011.

M. Bourque The tanker truck might not be the way to go. We will discuss this with the Chief when he gets back from vacation.

J. Hansen We will have a public hearing on all this but I would like the Board's acceptance on these Subdivisions Regulation amendments going forward so when we print these for the public hearing we won't have to make many changes.

S. Foulkes When these are finalized I would like a date on them so we will know when they were updated.

J. Hansen We have had several revisions and we will include the revision date on the page. We might even update the entire book.

S. Foulkes I have a question on page 3 of the minutes dated April 27, 2010. Bill Rice talks about the bylaws on the trees and John mentions there are two bylaws on the books and he said maybe an addendum to one of those two bylaws. Is this something you are going to work on?

J. Hansen I took a look at that and Bill and I discussed it and it would have to be a separate bylaw if we wanted to go forward and endorse that.

B. Rice I will do some research on the language for the bylaw.

S. Foulkes So Bill will do some research?

B. Rice I will do research on a language that other towns use to talk about trees.

S. Foulkes On page 4 of the minutes, in reference to the tree bylaw and imposing a fine if someone cut down a tree. I asked if that would have to go through the ZBA and Neil said we will ask John to look into this for us. So is there any status on this?

J. Hansen Sounds like we need to put that in a bylaw.

S. Foulkes Sounds like something we should probably do.

B. Rice If it is in the bylaw that the trees are going in before the lots are sold so when the lots are sold í the point is if they cut them down they have to replace them. So I will do some research, we have to have something we can enforce.

Approval of Minutes

Regular Meeting Minutes: April 27, 2010, R. Bennett made a motion to approve Bill Rice seconded and so voted by: L. Dunn, S. Foulkes, N. Abelson, B. Rice, R. Bennett, M. Bourque.

VOTE: (6-0) approved

M. Bourque made a motion to adjourn meeting R. Bennett seconded and so voted by: L. Dunn, S. Foulkes, N. Abelson, B. Rice, R. Bennett, M. Bourque.

VOTE: (6-0) approved

The meeting adjourned at 9:00PM

Respectfully Submitted by:

Florice Craig