

**SEEKONK PLANNING BOARD  
REGULAR MEETING**

**MINUTES  
January 11, 2011**

---

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

Absent: T. Clancy S. Foulkes with cause

7:00 pm Ch. Abelson called the meeting to order.

**Site Plan Review: 1058 and 1080 Fall River Avenue** – continued until 2/8/11

**Preliminary Plan: Olney Street Estates**

**Applicant: Steven DeCastro**

**Engineer: InSite Engineering**

Paul Carlson From InSite Engineering representing the applicant. We are proposing 5 house lots and a 710øroad with a cul-de-sac. The waiver requests are: sidewalks on one side, an additional 10øof road for the cul-de-sac. (Mr. Carlson submitted colored renderings to the Board). Perc tests in all lots were successful with 2-5 min percs. I have another concept plan of a hammerhead design. (Mr. Carlson submitted additional renderings showing a hammerhead, and a 650øroad). DPW has preferred this layout as shown, we would propose a grass swale, construct wetland along north side of lot similar to Madison estates, we would prefer a hammerhead.

Ch Abelson I would like input from the Fire Dept regarding the turning around of fire trucks.

J. Hansen The Chief prefers a cul-de-sac but this design does work too.

W Rice What is the recharge for Stormwater runoff on the second plan?

P. Carlson We are proposing infiltration for each house on the Definitive plan. The pond and stream are existing. Proposing dry pond or constructive wetland to meet bmpø. We did look at the option of a conservation subdivision but because of wetland percentage and upland we could not meet the requirements. The hammerhead allows us to bring the road towards Olney Street by 100øand it is significantly better for the wetlands to have a hammerhead design. There is no way to extend

the road to abutting property. If we flip the road to the south side it would open that other land to subdivide in future. There would be a drainage swale along the property line that would alleviate a substantial amount of the water on the Cordeiro property. This is not conservation subdivision so there is no restrictive deed but lot 5 would own all the land in the back.

W. Rice I would like to consider permeable sidewalks.

Ch. Abelson I don't think permeable pavement is good in this area.

M. Bourque made a motion to approve the Preliminary Plan with the Town Planner's recommendations;

1. The Definitive Plan submittal should include lowest floor elevations (lfe) for each house and percolation test results. Under section 4.4.2, the lfe of the proposed buildings shall be at least two (2) feet above the maximum groundwater elevation.

and amended the motion to endorse the hammerhead design, seconded by R Bennett **and so voted by:** Ch. Abelson, M. Bourque and R. Bennett  
Opposed: W. Rice and L. Dunn

**VOTE: ( Approve 3-2) motion carries**

P. Carlson May I ask why you opposed?

L. Dunn I am opposed because of a philosophical need to be more concerned with the landscape and it would be better with 4 houses not 5.

Ch Abelson I caution the Board, when the Definitive plan comes forth, you need a reason, not a philosophical reason.

J Hansen When the Definitive plan comes, you need good reasons as to why the regulations are not being met, and they are black and white.

L. Dunn I am concerned with the high water table and would like to add that it looks like you are decreasing impervious surface with a hammerhead.

W. Rice I would like the developer to consider permeable pavement.

Ch Abelson I would like DPW's opinion on permeable pavement.

M Bourque I am concerned with residents parking at the end of the hammerhead, with the cul de sac you could turn around. Before the road gets accepted, who could make this a "no parking" road? I would like to find out if the Board of Selectmen is able to prohibit parking on public streets.

**Site Plan Review: Seekonk Crossing – 175 Highland Avenue**  
**Applicant: Time Equities, LLC**  
**Engineer: Casali Engineering**

Steven Navega, Esq. Attorney representing the applicant. This project has Zoning Board of Appeals approval for 225,000 sq ft building, which is less than 13% building coverage. My client is very eager to start the project, if we don't get approval soon, BJA is considering walking away. There are 1,278 parking spaces currently and we are proposing to reduce the number to 1,070 about 17%. This is a relatively small addition to the existing building. To enforce the parking requirements to the fullest extent of the code would be a hardship to the owner's contractual obligations with the tenants and they have a cross easement lease that does not allow 1 reduction. We are providing 81 new trees and proposing \$15,000 to the tree warden's fund so the town can plant at their leisure. There are time constraints, they need approval of the Planning Board or risk losing the whole project, Planning Board approval is critical. We are looking to revitalize this area, it is a win-win situation with the town. We are proposing to revitalize a dying site, BJA is paying \$900,000 dollars to do the site work and over 1 million for additional improvements, but they need Planning Board approval. Mass DEP had no comments; Con Com liked the concept, it is critical to them for approval. It will bring 200 jobs with BJA moving in they should be commended for bettering, and greening up the area. If Planning Board approval is not forthcoming we will lose BJA and the whole project will be abandoned. We are legal, preexisting, this is not a new construction. We are reducing asphalt, this was a Price Club similar to BJA we are looking to put a 2,000 ft chain link fence to keep debris out, we need waivers, nothing extraordinary, all within the purview of board, I have Joe Casali here to answer any questions.

Joe Casali Casali Engineering, I am a registered P.E. We are proposing a 12,200 sq ft addition. Per Massachusetts, this is considered a redevelopment, we have submitted a NOI and have all the zoning relief here for site plan review and have coordinated with the Fire Department about an Opticom system for fire apparatus, With respect to drainage, it is important to note we are reducing impervious. We are increasing the building by 5% but increasing landscaping by 20% by reducing 217 parking spaces. We are including LEED standards and LID items. Water efficient landscaping drought resistant grasses, light pollution reduction, and shade trees. 157 shade trees are required, we can't provide 157 but are adding 87 and a land donation of \$200 per tree totaling \$15,000 deposited into a fund for the tree warden's use. Part of the drainage is proposing all new catch basins with deep sumps with sumps or snouts with oil water separators. No new untreated discharges. There are no new outfalls, leach fields have septic grease traps with design flows less than the permitted design flows.

- Ch. Abelson    Horsley and Witten has conducted a review of the drainage report and indicated that several items needed to be addressed.
- J Casali        Some of the things they said were academic we are not going to be able to do some of the things they are suggesting. They are looking for recharge conditions, we are recharging as much as we can. We are proposing deep sumps and oil water separators. They are asking us to line the pond, we will agree to long term prevention plan, the applicant has agreed to 2,000 linear ft of 6ø high fence, \$20,000 dollars of fence for trash to be picked out. They are looking for us to model existing pond in Hydro-cad. They asked for 5 years of inspection reports that we do not have. We can agree to catch basins with deep sumps, increase landscaping to minimize water use, shade trees, \$15,000 for the tree warden, and the Opticom system. We reserve the right to come back with a fueling station or pad site, right now time is of the essence.
- J. Hansen      The Conservation Agent is doing a review, Conservation standards are more stringent, and I would defer to her review.
- Paul Bannon    President of RAB Engineers in Cranston, RI. Taffic Engineer      This is a fully developed plaza, we are proposing an addition of 12,000 sq ft. We are moving existing tenants within the plaza and putting in a BJs. Today, there are two points of access to the development along Highland Ave. One, the main driveway, which is a shared driveway with King Philips Plaza is to the east. To the west of Pier One Imports is a common driveway that allows access to Stop and Shop and Home Depot. Because it is a fully developed site, we focused on the issues within the site and how traffic with a new tenant would affect the driveways. Today because of the underutilization of plaza, people drive through the plaza unsafely. We looked at site distances at the main intersections and how they operated. We felt it was important to focus traffic through the main driveways in the plaza and limit ability to drive through the parking lot via parking spaces. It was a twofold benefit of safety and also with reducing pavement and introducing green space by introducing aisles, we took out parking in this main field so people canø go through the vacant parking spaces and they will be focused to the main entryways to BJs and Sports Authority. We have improved internal circulation. We are going to force vehicles to move through the site in an orderly fashion. We are proposing enhancements where this main intersection is wide open and vehicles are not moving consistently. We are proposing to take care of overgrown landscaping that limits site distance and signage, we are proposing to take that landscaping out, make signs more visible, put new signs in, put striping, put stop bars in. The main recommendation we have made is to change the operation of this intersection to make it similar to Home Depot/Stop and Shop intersection as to not affect the Route 6 traffic flow. Presently the traffic is metered into the site via a traffic signal so a large volume of left hand turns come in so periodically they have to stop at the stop sign to take a left into Dicks so what we are proposing, since we will be increasing the volume into that area, is that it be a free

flow non stop condition into the site where it would not back out where you wouldn't be able to take a left hand turn into the site because it wouldn't overburden this intersection. That is what is happening in the other site. Those are the basics of our analysis.

M. Bourque I was concerned about that intersection because I know the Home Depot sometimes can be confusing because there is no stop going in so you assume it is a four way stop.

P. Bannon In addition to the Stop Signs we will put a three way sign underneath, stop bars with the lettering on the approaches to clarify because it is an uncommon situation. The intersection can easily accommodate it but Saturday afternoon at 2:00 when you have 15 cars coming in at one time, those cars do back up. So we will delineate and stripe that to allow right turners, where now it operates as a single lane, it will be two lanes. It is wide open, that is why we wanted to narrow this down because people shoot straight across.

M Bourque You addressed the concerns of the Fire Chief?

P. Bannon It is my understanding that the Fire Chief would like us to add an Opticom system. He has equipment on the trucks so we would be glad to put those systems on the intersection.

M Bourque I am on the Fire Department, and I was in the discussions also and I know he agrees the major problem is the intersection coming up to your establishment at Route 114A and Route 6, that is a horror show for the Fire Department. We end up pushing people through red lights even to get to your establishment.

P. Bannon If that is a location that would receive a better bang for the buck, then we would be willing to put in a system for you but this intersection

M Bourque Lowe's has done three intersections for us leading up to their establishment and then this would pick up where they left off, going into yours.

P. Bannon Did they do their driveway?

M. Bourque They did their entrance, where McDonalds is, the two at the highway and the Town just did Luther's Corners.

P. Bannon We could work with the town to do that main intersection.

M. Bourque The Fire Chief was; mainly Route 114A and Route 6, then he was talking about the main one for your building. So he was talking about 2 intersections for the Opticom systems.

- W. Rice        Are there any dedicated pedestrian travel areas from the north part of this parking lot down?
- P. Bannon     There will be sidewalks around the building.
- W. Rice        I have walked through a lot of parking lots where you take your life in your hands, it would be nice if there was somewhere reserved for pedestrians which everyone is when you get out of the car.
- P. Bannon     People walk in direct paths, that is why parking fields are set up the way they are. Maybe we could put a cross walk in.
- J Hansen      I wanted to bring up to the Board on page 3 of the Town's consultant's report, the onsite mitigation and the four-way stop intersection. They indicate that this modification results in an existing traffic approaching operating at an LOS F, which is the worst possible grade you could give an intersection. Although it is not an intersection of a public road, it is within the site, I just want the Board to be aware of what that exactly means. It seems like the applicant's consultant and the town's consultant are okay with that but I want to make sure that you are all okay with that because just because you are not traffic engineers, it doesn't mean you are not all experts in driving and I am sure that anyone who has sat in an LOS F intersection has said, "this is ridiculous, who designed this, who approved this." And those phone calls will come, they will come to our office, they will say, "who is on the Planning Board, this is ridiculous," I just want you to be aware of that when you make that decision, I am not sure what improvements can be made but you do have two traffic engineers, the one who is working for the town agreeing with the applicant so that is fine, but, again, I just want you to be aware of that.
- P. Bannon     That means on one approach to the intersection and what our analysis did was we took counts on the tax free weekend so the plaza was as busy as it will ever be, and then we added our traffic onto that. Then we looked at what the worst hour would be. So then you are saying it is the worst hour of the worst day that this plaza will accommodate and essentially, that is what we did. And on one of the approaches, the left turn exit to go to the traffic signal, it is estimating a level service F, which means you would have to sit there for up to 50-60 seconds. But level service F does not always mean it is a bad thing. When you have low volumes it could be one car sitting there for 60 seconds and that doesn't create any issues. In this instance, a level of service F, you can't analyze how it will operate because of the traffic signal what it assumes is the people coming in from Route 6 are random traffic flow so they would come in and stop at the intersection and interact. But the way this will operate those cars are metered by the left turn into the site so there will be substantial gaps when those left turns on Route 6 are sitting there waiting and can't get in so the analysis can't estimate that and we

don't think the delays at that intersection will not be that great. Plus there is the other entrance. It is a condition that is acceptable from a traffic standpoint.

J Hansen Using the other exit is not conducive, it is not easy to navigate, there are dumpsters sometimes in the middle, a narrow approach and the site distance with people trying to beat the yellow arrow, the Pier One entrance is difficult under the current conditions.

S. Navega My client is proposing to clean up the massive landscaping in that general area to improve site distance so people can see.

J Hansen I want to make sure the Board has a level of comfort with the internal traffic of the site by trying to point out certain things to make the Board aware of it. The use is allowed, we all understand that but that is the point of site plan review, it is to make sure that we feel comfortable with all of the standards and we are overcoming the parking issue because it is a nonconforming use, the landscape issues, we are overcoming that with the donation of trees, drainage is being reviewed through conservation so we have a level of comfort with that. The traffic is last thing, so if removing evergreens at the Pier One exit can help, that is certainly one thing and we can make that a condition. I don't know if there are any other improvements that can be made to the main entrance to help facilitate that, but as the applicant stated, an LOS (level of service) F is most likely not going to happen. I want to make sure the Board is comfortable with the internal workings of the site, although it is private property and it is not our concern but it is our concern because it is the public using it and that is the point of site plan review is to improve the public health, safety and welfare as stated in the Zoning Bylaw so I want to make sure you have a level of comfort with it because we sit here and talk week after week about past sites and past problems whether it is drainage or traffic so I just want the Board to be aware of it, I am sure it has been noted on the record several times that I have said that so I will stop on that note. Conley and Associates is saying that the LOS F is not a big deal, fine, but they are indicating in their conclusions and recommendations that the traffic volumes at the site driveway be collected. The applicant's traffic engineer doesn't feel that that is necessary, why doesn't Conley Associates feel the same way?

Ch. Abelson John is not saying he is against this; he is trying to make us aware of what the consulting engineer has said and certain things that are in here so that we know about it and we don't look at it and ask why did we do that.

M. Bourque I think it would be a major issue if it was not already a retail establishment, since it is already established, they can't come in and redo the intersection.

J. Hansen The discussion is important to draw out of you justifications for allowing this, so it is justified.

P. Bannon This intersection is not going to operate at a level F, this is an internal intersection one hour of one day of the year. You have to be clear and bring that to everyone's attention too, John. We don't want to have bottlenecks internally at our intersections.

Ch. Abelson This also mentions a gas station will increase more trips to the site.

P. Bannon The gas station is not part of this approval, there is a propane fill station.

M. Bourque There are all sorts of regulations that go with that outside of us.

W. Rice Why are we not requiring the 10' landscape buffer?

J. Hansen It doesn't exist right now, there is no 10' buffer around the entire site. The way our Bylaw works is if you have any LID or LEED standards proposed, you can utilize them for a tradeoff. So if you have not the required landscape buffer, that is offset by the water use/Stormwater runoff reduction, the water efficient landscaping, etc.

M. Bourque made a motion to approve the following requested waivers, seconded by R. Bennett **and so voted unanimously by:** Ch. Abelson, M. Bourque, W. Rice, R. Bennett, and L. Dunn

**VOTE: (Approve 5-0)**

**Waivers:**

- Exceeding of parking space maximum, below minimum lighting standard, lack of landscaping buffer, exceeding number of spaces in each row, and lack of shade requirement. Justification for waivers includes several LEED/LID proposed measures, as indicated above.

M. Bourque made a motion to approve the Site Plan dated September, 2010, subject to the following stipulations seconded by R. Bennett **and so voted unanimously by:** Ch. Abelson, M. Bourque, W. Rice, R. Bennett, and L. Dunn

**VOTE: (Approve 5-0)**

**Stipulations:**

1. That \$15,000 be donated to the Town and deposited in a special account to be used by the Tree Warden for tree planting on public property.
2. That Opticom units be installed at the easterly site driveway/Highland Avenue intersection and the Fall River Avenue/Highland Avenue intersection.
3. That the LID/LEED standards proposed for water efficient landscaping, light pollution, heat island effect, water use and stormwater run-off reduction be implemented.
4. That the Water District Superintendent's comments dated 10/18/10 be addressed.
5. That applicant receive Conservation Commission approval
6. That the evergreens be removed along the westerly site driveway and replaced with low growing vegetation to improve site distances.

#### **Discussion: Assisted Living Facility Bylaw**

J. Hansen advised the Board that a developer would be coming to the next Planning Board meeting to discuss his desire to develop an assisted living facility. The Board discussed having a public hearing on the proposed Assisted Living Bylaw. The Board would like to put the bylaw on the warrant for Spring Town Meeting, but there is concern over the timeline that the warrant would not be open long enough and a Citizen Petition might be needed. The Board will further discuss the Assisted Living Bylaw and hold a public hearing in the near future.

#### **Discussion: Housing Production Plan**

- J. Hansen      The effort failed to get Selectmen to remove the HPP from the ballot as my memo states. Michael Carroll has scheduled a time for me to start putting together this ballot question, if you authorize me to do it, I will but we could put in a lot of time, effort and money to do this and still have it fail.
- W. Rice        The public needs to make an informed decision and we need to make the public aware of this.
- L. Dunn        If we don't have the housing production plan, we are more open to unfriendly 40B's.

Ch. Abelson We presented this, I can't see why we can't withdraw without prejudice. I would like to reiterate that we want to withdraw and postpone for a future date because we can't get this ready for ballot.

W. Rice made a motion to send a memo to the BOS requesting to withdraw the proposed plan of the Housing Production Plan because it is premature to put it to ballot and to postpone it in one year, seconded by R Bennett and **so voted unanimously by:** Ch. Abelson, M. Bourque, W. Rice, R. Bennett, and L. Dunn

**VOTE: (Approve 5-0)**

### **Correspondence**

Ch. Abelson We have a letter from *Edwards, Angell, Palmer and Dodge* about In Motion Motor Sports. I go by there every day and they have a car parked in front of handicapped spots totally blocking off the aisles in the parking area so the cars are parked in front of the building or even with the foundation, they are totally blocking off the aisle where the garage bays are all the way over to the parking spaces which allows no traffic to flow into the parking lot without going through the parking spaces which is not compliant with the parking plan and also, initially, that planter was not attached to building, and once they attached it to it, Mary's interpretation was that that was part of the building but by making a change to the planter and attaching it, now they have encroached on the front set back of the building if she is going to consider that part of the foundation of the building so they should have to go to the ZBA to get some relief for that but what I would like them to do is come in and discuss this with us but short of that I would like to appeal Mary's decision because I think her interpretation of that planter is part of the building is false. Initially, when the plan was presented to us, all the cars that were going to be sold or on display were going to be in the back parking lot out back. They presented it to us that way by their engineering firm. There is a car parked in front of Imported Autoparts, right in front of the handicapped space every day. People can't get to the parking spaces.

M. Bourque We approve a parking plan and they just do what they want.

M. Bourque made a motion to have John Hansen send a memo to the InMotion Motor Sports requesting them to come and speak to the Board regarding their site plan, seconded by W. Rice and **so voted unanimously by:** Ch. Abelson, M. Bourque, W. Rice, R. Bennett, and L. Dunn

**VOTE: (Approve 5-0)**

L. Dunn Carroll Bragg sent us a letter offering her services working for the state program and it won't cost anything it is not exactly employment

J. Hansen It is on the agenda for the next meeting.

Ch. Abelson It is on the agenda for next time, it is more than correspondence, it needs to be an agenda item.

### **Approval of Minutes: 10/26/10 & 12/14/10**

W. Rice made a motion to approve the minutes of October 26, 2010, seconded by M. Bourque **and so voted:** Ch. Abelson, M. Bourque, W. Rice, and L. Dunn

**VOTE: (Approve 4-0) 1 abstained**

R. Bennett abstained, as he was not at that meeting.

L. Dunn made a motion to approve the minutes of December 14, 2010, seconded by W. Rice **and so voted:** Ch. Abelson, R. Bennett, W. Rice, and L. Dunn

**VOTE: (Approve 4-0) 1 abstained**

M. Bourque abstained, as he was not at that meeting.

### **Adjournment**

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

**VOTE: (Approve 5-0)**

The meeting adjourned at 10:00 pm

Respectfully Submitted by:

---

Christina Testa, Secretary