

**SEEKONK PLANNING BOARD
Regular Meeting**

**MINUTES
March 8, 2011**

Present: Ch. Abelson, 7:15 M. Bourque, W. Rice, T. Clancy, S. Foulkes and L. Dunn
J. Hansen, Town Planner

Absent: R. Bennett with cause

7:15 pm Ch. Abelson called the meeting to order.

Definitive Plan: Tall Pines
Applicant: Stonegate Builders
Engineer: SITEC

At the applicant's request, this has been continued until 3/22/11

Site Plan: 1058 & 1080 Fall River Avenue (5 Guys Burgers and Fries Plaza)
Applicant: Richard Rheume
Engineer: Prime Engineering

At the applicant's request, this has been continued until 3/22/11

Final Surety Release: Pembroke B
Applicant: H. Charles Tapalian
Engineer: Caputo & Wick

Continued to 4/12/11

Surety Release: Brigham Farm II
Applicant: Triple Eagle
Engineer: Caputo & Wick

D. Bray Most of the project is done; fire alarm box needs to be done, loom and seed needs to be done and cleaning of the drainage system.

M. Bourque You are looking for surety release minus those items.

L. Dunn I'm confused, what about the trees?

D. Bray Trees are planted according to what we discussed last August. We planted every tree on the plan, 91 trees. The ledge area is where the trees could not be planted.

J. Hansen I advised the Board that we have not been able to verify the bounds because of snow cover and I forwarded the memo from the conservation agent regarding sediment in the fore bay and rip rap, and the ultimate recommendation in my memo is that there are some outstanding issues with Weston & Sampson and there probably was an excess of the contracting and I do not think that Mr. Bowen should have to pay all the invoices. Some are justifiable but Paul should be responsible for \$1,100 of the Weston & Sampson invoices. I would think that since the trees are planted, the \$17,000.00 should be returned, but the money for contingency should be retained. I would recommend to reduce by \$22,787.00 leaving a balance of about \$27,000 to leave money in for granite bounds, loom and seed, clean drainage system, engineering and contingency should remain as is and contingent upon payment of invoice for Weston & Sampson. Conservation Agent sent correspondence in September and has received no correspondence back.

D. Bray The monuments are in.

J Hansen The Board could release the additional \$5,400 for the bounds pending our inspection.

M Bourque made a motion to release the surety by \$22,787.00 and upon inspection of bounds reduced by \$5,400.00 seconded by T. Clancy and so voted unanimously by: Ch. Abelson, W. Rice, M. Bourque, T. Clancy, S. Foulkes and L. Dunn

VOTE: (Approve 6-0)

W. Rice What about discussion, I think there should be a re-inspection of the berm because it has been obliterated and the grass seed has never grown. These are items left undone. There is no grass, only mud.

D. Bray The DPW director should be enforcing the curb cuts and giving fines. When they loom and seed the lots, they should take care of it themselves. There is \$1,000 for looming and seeding the shoulders because it had been done.

J. Hansen Bob will have to do a final inspection anyway. And the only other question I have is an expiration date.

D. Bray June 15, 2011

M. Bourque made a motion to amend motion to say that the reduction to be issued to Triple Eagle pending Weston & Sampson being paid \$1,100.00 T. Clancy seconded and so voted unanimously by: Ch. Abelson, W. Rice, M. Bourque, T. Clancy, S. Foulkes and L. Dunn

VOTE: (Approve 6-0)

Put on agenda for 4/12/11 discussion of Howland street plans.

Form A: 160 Olney St.
Insite Engineering

Shawn Ainsworth of Insite engineering. Lot meets frontage (ANR1). ANR 2 will come in as a 4 lot definitive plan.

M. Bourque made a motion to endorse the ANR plan, seconded by T. Clancy and so voted unanimously by: Ch. Abelson, M. Bourque, W. Rice, T. Clancy, S. Foulkes and L. Dunn

VOTE: (Approve 6-0)

T. Clancy Left meeting at 8:00 PM

Correspondence:

Letter regarding Greenbrier 6

W. Rice There is nothing in the regulations that state you have to have a buffer zone.

Ch. Abelson That usually never comes into play.

D. Bray A few years ago in September there were concerns about the parking area closest to Colefall Street, we said the best we could probably do was move the parking lot away from our line 15-25ø What it is designed at is 25ø there is an embankment, there was no discussion of keeping trees, we have a 4øhigh bank 25øaway and that was the discussion. In November 2010 we got a tape from the September 8 or 9 meeting, you can hear the whole discussion.

W. Rice Was there a formal agreement?

D. Bray No, look in the minutes.

W. Rice I was told that we could not hold executive session

J. Hansen This board has no jurisdiction of violations. Based on Town Counselø's opinion, the Planning Board does not have jurisdiction to notify abutters. Any of these other issues brought up by the abutters cannot be addressed. We don't have the

actual minutes transcribed, we should listen to the tape. There is no decision to be made.

Letter from Girard Estates abutters

The Board discussed a letter from Fred Gordon representing the abutters to Girard Estates and determined that the Board should send a letter that this is the last correspondence, include the DEP letter, explain why we made our decision and this is our final discussion on this. Once the open space went away, the split rail fence went way. Include the title 5 information. The buffer was removed by DEP and we cannot require a buffer as a Planning Board, it is not within our purview to do buffer zones.

**L. Dunn made a motion to have the Chairman of Planning Board send a letter to Fred Gordon stating the MA DEP required the buffer originally and then subsequently removed it and include the letter in the next packets seconded by M Bourque and so voted by: S. Foulkes, Ch. Abelson, M. Bourque, L. Dunn (Aye)
W. Rice (Nay) Reason: W. Rice would prefer they meet with them rather than send letter.**

VOTE: (4-1) approved

Put on agenda for 4/26/11 - Discussion of Zoning Bylaw amendments.

The Board discussed that the Assisted Living Bylaw Public Hearing would be on the next agenda and that the Petition needs to be signed. The Board also discussed that prior to Town Meeting there needs to be more public awareness and perhaps a Power-point presentation at Town Meeting.

Adjournment:

M. Bourque made a motion to adjourn the meeting seconded by L. Dunn, and so voted unanimously by: Ch. Abelson, M Bourque, W. Rice, S. Foulkes, L. Dunn

VOTE: (5-0) approved

The meeting adjourned at 9:15 pm

Respectfully Submitted by:

Christina Testa, Secretary