

SEEKONK PLANNING BOARD
Regular Meeting Minutes
April 9, 2013

Present: Ch. Abelson, M. Bourque, R. Bennett, L. Dunn, D. Viera
J. Hansen, Town Planner

Absent: R. Horsman, S. Foulkes (with cause)

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

Reorganization of the Planning Board

A motion was made by M. Bourque and seconded by D. Viera and it was unanimously

VOTED: To make N. Abelson the Chairman of the Planning Board

A motion was made by M. Bourque and seconded by L. Dunn and it was unanimously

VOTED: To make R. Bennett the Vice Chairman of the Planning Board

A motion was made by L. Dunn and seconded by R. Bennett and it was unanimously

VOTED: To make M. Bourque Clerk of the Planning Board

A motion was made by M. Bourque and seconded by D. Viera and it was unanimously

VOTED: To make L. Dunn Vice Clerk of the Planning Board

Appoint SRPEDD Representative

A letter from SRPEDD was received seeking reappointment for a SRPEDD representative from the Planning Board. A motion was made by M. Bourque seconded by R. Bennett and it was unanimously

VOTED: to appoint Phoebe Lee Dunn Planning Board SRPEDD Representative.

Appoint CPC Representative

A motion was made by D. Viera and seconded by R. Bennett and it was unanimously

VOTED: to appoint N. Abelson Planning Board CPC Representative.

Site Plan Review: 1683 Fall River Ave.

J. Hansen summarized that the applicant was looking to have an auto sales business with four display vehicles. He noted that there was more than adequate parking. He summarized the facts:

Existing Conditions

- Vacant business

Proposal:

- Introduce auto sales business with 4 display vehicles.
- **Section 10.6.1 - Parking**-2-3 parking spaces required for automotive retail and sales use (12 existing/8 for customers and employees).

Waivers Required:

- None

J. Hansen recommended that an approval of the Site Plan for Michael Ferreira, dated of 2/28/13, be given.

A motion was made by D. Viera and seconded by L. Dunn and it was unanimously

VOTED: to approve the Site Plan for Michael Ferreira, dated of 2/28/13.

Partial Covenant Release: Tall Pines

J. Hansen summarized the applicant for Tall Pines requested a partial covenant release for said subdivision. The original construction cost estimate of ±\$750K has been reduced to ±\$292K based on the work that has been completed by the applicant and inspected and approved by the Board's inspector, GPI.

The method of surety proposed by the developer is to keep a covenant over three (3) lots within the development (lots 5-7) and release the covenant from 3 lots (8-10). Based on the average purchase price of other subdivision lots in town at \$125K, a covenant for 3 lots appears to be adequate to cover the remaining construction costs.

J. Hansen noted upon his inspection of the site to date, they had not put up the spilt rail fence that is required to delineate where the limit of disturbance area is.

A motion was made by D. Viera and seconded by M. Bourque and it was unanimously

VOTED: to not release the partial covenant until a spilt rail fence was constructed. It will be put on the next Planning Board meeting agenda.

Discussion: Zoning Bylaw Amendment – Section 9.8 – Solar Photovoltaic Overlay District

The applicant Nicole Fisk introduced herself and turned the meeting over to her engineer on the project, Otis Wyatt.

Otis Wyatt showed the board plans for the site they were asking to be included in the solar overlay district. He went on to say that the zoning was mixed and it is a total of approximately 35 acres. He said the property was intersected with different utilities, a high voltage line and the Mobil Pipeline. He went to say what they were proposing was a large solar farm. He said it works well on the proposed site because it has an electric grid that can handle the capacity of a solar generating site. He noted that the abutting land is residential along Woodland Ave. and across the street is the railroad, industrial buildings and some vacant land.

J. Hansen mentioned that his proposed change to the Zoning Bylaw Amendment would not be adequate for what they were talking about because some portions of the property are zoned residential. He said the Board would need to think about if they were in favor of this and how it could incorporate that site. He also said he would probably have to amend the proposed amendment to include the plat and lot for the site rather than having a blanket statement that all industrial districts sites shall be included.

Further discussion

A motion was made by L. Dunn and seconded by D. Viera and it was unanimously

VOTED: that the Planning Board sends a memo to the ZBA urging them to make any decisions subject to the standards in the Solar Overlay District

J. Hansen went on to ask the Board what they wanted the bylaw to say.

R. Bennett said that they should model it after what is written in the Mass. General Law.

N. Abelson said it should remain consistent.

Further discussion

J. Hansen summarized what they will proceed to do is allow the Solar by-right in all industrial zones and rezone the small 6+ acre piece of land from residential to industrial.

A motion was made by D. Viera and seconded by L. Dunn and it was unanimously

VOTED: that the Planning Board will hold a Public Hearing to: 1) amend the Solar Overlay District to include all industrial lands and 2) rezone a 6+ acre residential zoned piece of land, owned by the Fisk's, to industrial.

Correspondence

- J. Hansen summarized that Planning Board member S. Foulkes had shown interest in putting in place a bylaw or temporary moratorium on Medical Marijuana Treatment Centers. He mentioned that she had gone to a seminar regarding this subject. He went on to say that he had asked the Health Agent, Police Chief, and Tax Assessor for their comments on this subject. The Police Chief commented he would be behind something to regulate medical marijuana.

J. Hansen asked the Board if they wanted to put a temporary moratorium in place. He said a public hearing could be held in May. He noted if the town did nothing to have a moratorium or a bylaw in place there could be five Medical Marijuana Treatment Centers within the county per the new Massachusetts law.

The Planning Board decided to hold a Public Hearing to amend the Town's Zoning Bylaws by adding a new section 26, Temporary Moratorium on Medical Marijuana Treatment Centers.

- J. Hansen reported that the State approved funding in the year 2017 for safety improvements for left hand turn lanes at County Street and Fall River Avenue.
- R. Bennett summarized to the Board that he attended the Southeastern Bicycle Summit. He said he spoke with people involved with the promotion of a bike path from Fall River, MA to Fairhaven, MA. He noted that he made some contacts and suggested to them the he was trying to promote a bike path to go through Seekonk, Rehoboth and Swansea.

J. Hansen mentioned that the DOT has changed their minds and are now interested in bike trails alongside active railways.

- J. Hansen reported to the Board that after researching the matter of making a hydro-geologic study part of the by-laws, he did not find any towns that had this as part of their bylaws. He spoke with Horsley Witten and they indicated that it would be huge burden to require and that is why it isn't found in any town by-laws. He also mentioned that the BOH is looking at their regulations concerning this matter.

Further discussion

J. Hansen said he would talk to the Health Agent about the subject and report back to the Board.

Approval of Minutes: 3/12/13

A motion was made by R. Bennett seconded by L. Dunn and it was

VOTED: to approve 3/12/13 Planning Board minutes

By: Ch. Abelson, R. Bennett, L. Dunn, M. Bourque,

Abstain: D. Viera

Adjourn

A motion was made by M. Bourque and seconded R. Bennett and it was unanimously

VOTED: to adjourn at 8:30 PM

Respectfully Submitted by,

Florice Craig