

SEEKONK PLANNING BOARD
Public Hearing, Regular Meeting
September 9, 2014

Present: Ch. Abelson, M. Bourque, R. Bennett, S. Foulkes, D. Sullivan, D. Viera,
J. Hansen, Town Planner

Absent: L. Dunn (with cause)

7:00PM Ch. Abelson opened the meeting

Public Hearing- Zoning Bylaw Amendments:

Ch. Abelson opened the Public Hearing and read the order of business.

A motion was made and unanimously voted to waive the reading of the legal notice.

Introduction of Town Planner and Board Members

J. Hansen summarized that it was the public hearing for the re-organization of the Zoning Bylaws.

S. Foulkes had several questions that J. Hansen answered.

D. Viera expressed concern that there were more issues that needed attention in the Zoning Bylaws and wondered if they should consider holding off until the Spring Town Meeting in order to work on those issues.

J. Hansen said that would be up to the PB to decide. He went on to note that there weren't any substantive changes and that the reorganization was to make it a more user friendly document. The only changes were to the dimensional table, the use table, and the addition of defined words that were not previously defined.

A motion was made and voted unanimously to close the Public Hearing.

R. Bennett said he was comfortable accepting it as is because the PB had been looking at this since May of 2013 and he thought it was in the best interest of the PB and the Town to move forward.

D. Viera said there were other items he would like to incorporate into the bylaws.

J. Hansen noted that the RFP that was sent out and ultimately given to Horsley Whitten Group was to reorganize the sections and make them more user friendly, as well as updates to three items; the dimensional table, the use table, and additional definition of words. He said he thought that product had been completed and if the PB wanted to update certain sections after Fall Town

Meeting that would be fine. He suggested to adopt what had been done to date and then focus on the sections they wanted to look at and update.

D. Sullivan agreed with D. Viera that the PB should look at updating certain sections but did not want to hold up the amendments that were already made for the Fall Town Meeting.

D. Viera said he was just trying to avoid having to always go back to Town Meeting.

Ch. Abelson noted that the PB was driven by other boards to get the Zoning Bylaws updated and the ZBA had indicated they wanted this update as soon as possible.

A motion was made and voted unanimously to recommend the Zoning Bylaw Amendments to go to Fall Town Meeting.

A motion was made and voted unanimously to have the Town Planner write a letter to Horsley Witten Group outlining the concerns the PB had about their quality of work pertaining to proof reading.

Subdivision Rules and Regulations

Ch. Abelson opened the Public Hearing and read the order of business.

A motion was made and unanimously voted to waive the reading of the legal notice.

Introduction of Town Planner and Board Members

J. Hansen summarized the changes within the subdivision rules and regulations to the PB.

Sec. 6.1- PB policy about not accepting a covenant on individual lots and not accepting letters of credit as surety.

Sec. 8.1.6 - Indicating the preconstruction checklist which indicates no clearing or cutting before being submitted.

Violations - Violation within a Conservation Subdivision Definitive plan shall be subject to penalties under the Zoning Bylaws.

A motion was made and voted unanimously to close the Public Hearing.

A motion was made and voted unanimously to approve the Subdivision Rules and Regulations amendments as presented.

Charter Amendments

Ch. Abelson summarized what was discussed at the joint meeting with BOS. He said members from the Tax Assessor Board, Planning Board, Conservation Commission and Health Board met

to discuss the proposed changes to the charter that had to do with the appointment process of the department heads of these various boards. He said many different scenarios were discussed but it was ultimately decided that Town Counsel would write up something that would represent what was said that night.

M. Bourque asked Ch. Abelson if what Town Counsel wrote for the possible charter amendment language (concerning appointing authority issues) reflected what was discussed that night and was what the majority of the people wanted.

Ch. Abelson answered no; he did not feel the language reflected what was discussed that night.

D. Viera agreed with Ch. Abelson.

Town Administrator Shawn Cadime noted that the document submitted by Town Counsel had two options. He said option one makes changes in Section 6 and option two makes changes in Article 4 Section 2. He noted in his opinion, the PB should go with option two because it makes the changes directly in Article 4 Section 2 making it a cleaner version.

He went on to say as far as it not representing the majority he was not sure what was missing but he wanted to reiterate this was a draft by Lauren Goldberg of Kopelman & Paige based on her interpretation and it was not changed by the BOS.

Ch. Abelson said the way he interpreted the draft, it seemed unclear how the appointment and reappointment would be handled. He continued saying the PB could select a person but the TA could possibly never recommend them. Also, the PB only had two chances for it to go through and if the TA continued to not recommend then the TA could make a temporary appointment not to exceed three months. He went on to say if no one was found acceptable to the PB in that time period it could become a long term position. He said this was not at all what the PB intended. He said he did not mind having the TA involved in the selection process and being part of the interviews but ultimately the appointment should be made by the PB. He said the members had a better feel for the requirements needed for the position.

D. Sullivan said he came away that night after the joint meeting with the sense that option two would be more of collaboration between the TA and PB. He said the proposed amendment language did not say that.

S. Cadime said the intent would be to get everyone involved right from the start so everyone is on the same page.

S. Foulkes asked about the day to day interactions.

S. Cadime said right now the day to day interactions go through the TA but thought what was lacking was middle ground as it needed to be clarified between the technical aspect and the day to day operational aspect.

Ch. Abelson noted it said in the draft amendment the PB shall appoint as a board, he asked if the PB did the reappointment.

S. Cadime said yes.

D. Sullivan wondered if the department heads were in a collective bargaining unit how could they be reappointed.

Ch. Abelson said in the steelworkers' union contract it doesn't say it directly but it says they have to abide by the Town's regulations.

S. Cadime said there is a conflict in that the only board that can go into a collective bargaining agreement is the BOS, but the charter says appointments shall be made by the PB, Assessors, BOH and Conservation Commission.

D. Sullivan wondered if that changed the terms of their working conditions.

S. Cadime said it would not change their working conditions as it only adds language to include the process.

D. Sullivan suggested that the PB design and sign a policy to address the last paragraph of the amendment.

S. Cadime said a policy could change with different members of the PB at any given time. He thought it should go to town meeting to let the residents vote on what they wanted. He also said this was not the final document. On September 17, 2014 the Boards would meet to discuss their concerns and ideas.

M. Bourque said he understood the TA wanting to be part of the process but the draft did not say there would be collaboration between the PB and the TA in making the recommendation.

S. Cadime noted it said that the individual shall be appointed by a recommendation of the TA but the appointment authority falls with the PB. He noted it would be incumbent on the PB to develop further language to ensure the TA is part of the interview process.

M. Bourque said it does not say in the language as it is written now that the PB can have a say in the recommendation. He said right now it is says either you take the recommendation or not. He recommended keeping it very simple, having an interview committee made up of two PB members and the TA; they interview the people then bring those candidates back to the PB.

Ch. Abelson said he did not see the urgency in this and would like all the departments to take time to look at it and discuss it so everyone is happy with the language. He said if this went to town meeting as is, he would not support it. He said he was worried about the appointment and reappointment processes.

S. Cadime said he wanted to say for the record that this did not come about because of any particular department head. This was just a policy and charter change to streamline things.

Bill Barker spoke about the proposed amendment changes, writing policy changes and dual management practices.

Ch. Abelson ended the discussion by noting the appointment and reappointment process would be discussed at the joint meeting on September 17, 2014.

Discussion: Non-Conformities Section Zoning Bylaws Amendment

A motion was made and voted unanimously to continue the discussion on Non-Conformities section of the Zoning Bylaws

Approval of Minutes: 8/12/14

**A motion was made and voted to approve the Planning Board Minutes of 8/12/14.
M. Bourque abstained; he was not present at the 8/12/14 meeting.**

Adjournment

A motion was made and voted unanimously to adjourn at 9:20PM.

Respectfully Submitted by,

Florice Craig