

**SEEKONK PLANNING BOARD  
Public Hearing, Regular Meeting**

**MINUTES  
February 22, 2011**

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

Absent:

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

**Ch. Abelson: Opened the public hearing introduction of Board Members**

**Ron Bennett made a motion to wave the reading of the public notice seconded by B. Rice and so voted unanimously by: Ch. Abelson, M. Bourque, L. Dunn, S. Foulkes, T. Clancy, B. Rice, and R. Bennett**

**VOTE: (7-0) Approved**

**Proposed Zone Change: Anthony St. & Fall River Ave. –R-2 (Residential)  
to Local Business – Applicant Steve Navega**

S. Navega Attorney Steven Navega I am here representing this zone change request. Looking to rezone lot 27 from R-1 to local business and a portion of Lot 75 that contains the dwelling from R-1 to local business. This is to accommodate a CVS store to be erected on site. Bulk of the project is already zoned highway business so what we are looking for is a positive recommendation from planning board for Town Meeting June 20, 2011. There will be no buildings on lot 27 and is intended to be used as a buffer from the neighbors. The proposed building isn't going to be the typical CVS type building it will be colonial style. This land has already been approved by the zoning board of appeals for a donut shop with a drive-thru however that is not going forward and we feel this is a better use for the property. There is less impact to the town and neighbors with this project particularly pertaining to the drive-thru because it is not used as much as one would be used for fast food or a donut shop. Also beneficial for town it would be a new and updated septic. The assessor office will be happy it will broaden the tax base plus the businesses impact will be positive in creating construction jobs then easily 20 local jobs the local economy will benefit. This is the first step in a long process it has to go to town meeting then we have to get permits etcí This CVS project will cost approximately 4-5 million dollars from start to finish. I would ask the Planning Board for a positive recommendation any questions?

Ch. Abelson Any proponents? Any Opponents?

- S. Foulkes As you know Mass Historical Commission noted that the current building on lot 75 is a Greek revival architectural building. I know at times CVS tries to blend in with the neighborhood and I was hoping they were trying to continue along those lines in this case. Any comments on that?
- S. Navega We are coming to you with a proposed colonial look. I don't know if CVS has period specific architecture that could accommodate your request.
- Michael Burke Good evening I work for Scott Prey handed out pictures from a CVS in NH Just finished this job and it has a nice colonial look.
- L. Dunn There is an old store in Bristol that CVS had just moved into and I was wondering if they could do that here. I feel site too small it will cause storm water issues, can't make decision until our engineers look at it.
- M. Burke I think that is it a temporary location CVS is building a new store in the north end of Bristol at that location.
- Ch. Abelson The footprint of the building in Seekonk would not be conducive to that. We are just trying to get the zone change first those specific things are premature at this point.
- L. Dunn We are redoing our master plan I think quite a few citizens in this town feel enough is enough and we need to take back what we love about our town and to build another big box store in what is a local business zone is against that rubric.
- Ch. Abelson I would not consider this a big box store
- M. Burke This is about less than 12,000 ft. this is one-tenth the size of a Home Depot. Lot is over 2 acres.
- S. Navega This acquisition of property has enabled this small CVS store to meet all the set back and buffer requirements and all the wetland setbacks that are necessary. Keep in mind there is an expenditure of money, which is not a motivating factor for your board, but the expenditure of money is only contingent on getting to town meeting. Preliminary we go to the BOS and request a zone change then to the planning board which has the public hearing and then it goes to the town meeting which takes a vote on it which is a high hurdle and a lot of money to get to that point. That is why we are here trying to persuade the planning board that this is a good project so they can get up at town meeting and say they had a public hearing and there was no one in opposition. I want to go on record tonight and say that this is a CVS store I'm not doing anything that isn't transparent this is just preliminary can't do anything unless we get a favorable vote at town meeting.

R. Bennett In the past we spoke about this being a village district area the drive-thru area would hinder that down the line.

Ch. Abelson Route 6 is a tough area for a village district.

T. Clancy Would they would be willing to make a material selection changes?

M. Burke They are willing to make some changes to the materials they have in the past.

R. Bennett In that neighborhood there really isn't a drug store.

Jennifer Pereira 45 Anthony St. I would like to see a more colonial look to the building. I have a house on the cape and have seen several CVS's that are very colonial with window boxes. Happy to see the landscaping but concerned about the box style. Unclear about drive- thru is it going onto route 6?

D.Taglanetti VHB Engineering The drive-thru will enter on from Anthony St. and exit onto Route 6. There will be a double row of arborvitae for landscaping.

D. Horton 940 County St. I am the Chairman of Seekonk Historical Commission. My question to the developer would be are they planning on replacing the housing that would be lost? The structure on the corner was inventoried in 1987 as being historically significant to the town, 24 years later it's still significant. Would they consider moving it to save it and then offering housing to the people being displaced? You cannot take a CVS and make it look colonial. The corner has been developed more modern what are you going to say to the businesses across the street? I would say nice clean lines and put some of it below grade to reduce the height.

Ch. Abelson Any thought to what Mr. Horton said?

S. Navega No place to move it to plus another cost factor. I don't have an answer to that if it doesn't pass zoning it is preliminary.

Scott Pray Owner of the building. I don't know if it could be jacked up because it has a partial basement but we can see it is not a done issue.

**M. Bourque closed public hearing T. Clancy seconded and so voted unanimously by: Ch. Abelson, M. Bourque, L. Dunn, S. Foulkes, T. Clancy, B. Rice, and R. Bennett  
Vote (7-0) Approved**

**M. Bourque made a motion to submit a positive recommendation to town meeting for a zone change on the NW corner of Anthony St. and Fall river Ave. from R-2 to local business. T. Clancy seconded.**

**Comments:**

B. Rice This corner is a business area not residential area.

- L. Dunn I think highway business is our least restricted zone and it is environmentally sensitive and I would preserve the R2.
- M. Bourque I think it is a good fit you are preventing a gas station or a fast food place from going in.
- B. Rice At least we can control this it is inevitable a business will go in there.
- R. Bennett It defines and separates the business area from the residential area. Zoning will be more defined

**Vote: Ch. Abelson, M. Bourque, R. Bennett, S. Foulkes, T. Clancy. B. Rice (Aye)  
L. Dunn – (Nay)**

**Vote (6-1) To recommended**

**Recommendation to Zoning Board Variance request under section 25.4.3 of Zoning Bylaws for Tall Pines**

Jeff Tallman Representing Stonegate Builders from SITEC, Inc. Reason why we are here tonight is because we had filed an application with the ZBA seeking relief for one section of the conservation subdivision bylaw. We have been before this board with a preliminary plan and now are here with a definitive plan we have also filed it with the conservation commission. As part of the conservation subdivision what we are looking to do is to get a waiver for section 25.43 which restricts the amount of disturbance it limits it up to 25 % of the site. We feel we have site issues that might warrant a variance. In order to gain access to the site we need to cross a stream and to do that we need to construct 300 ó 350 feet of road before we can get to a portion of the project and in doing that we have to account for drainage and wetlands replication. With the 25 % restriction we are limited to what we can do on each lot. On the definitive plan we show a line that represents that 25% of the Seekonk land.

The applicants owns approx. 7 acres that abuts the development what we would like to do is make that dedicated open space to use along with the open space that we have in the development, the land won't be combined because the land is in Pawtucket RI so it has be a separate parcel but it will be an open space parcel to be used by the residents of the development. What we are asking for is, because we are making that dedicated open space we would like to get 25% credit for that approx 7 acres in order to help compensate for the amount of disturbance we will have associated with the road. So when you look at the entire project and you take the total of the Seekonk and Pawtucket land we still only will be using or disturbing that 25% land so the intent is to meet the bylaw. But because the 7 acres are in Pawtucket we need to seek a variance from the ZBA. We are looking for a positive recommendation from the planning board before we go to the ZBA.

- Ch. Abelson If you excluded Pawtucket the area would be 35% we might want to set that as a limitation if we decide to go that way in our recommendation to the ZBA.
- T. Clancy Is the Pawtucket area buildable?
- J. Tallman I don't know we haven't really researched it in detail only accessible through Seekonk.
- J. Hansen Tonight we are only here to discuss a request by the applicant for a variance and a recommendation from this board to go to the ZBA
- B. Rice Is it possible for this piece of land to disappear into another development sometime in the future?
- Ch. Abelson They could sign an agreement that it is to remain undeveloped, a deed restriction on the property.
- J. Tallman We would deed restrict it when we get a variance. The deed would say that it is to remain open space.
- R. Bennett Some of the abutters have inquired about purchasing some of this land to expand their property land.
- Ch. Abelson We would be pushing for a deed restriction
- J. Hansen If the board was interested in entertaining this idea I would recommend you put a conservation restriction on this lot and that is done through the Dept. of environmental protection and in RI they are called Dept of environmental management. That is what I would recommend they are iron clad.
- L. Dunn When we worked on this conservation subdivision plan we were interested in preserving land in Seekonk, in my mind this is not a conservation subdivision because 50% of open space is not in our town.
- J. Hansen They meet the 40% open space requirement. We are strictly taking about the disturbed area.

**T. Clancy made a motion to send a positive recommend to the ZBA on the variance request with the stipulation that a deed restriction be placed on the Pawtucket land Plat 68 lot 13 to be preserved in its natural state and perpetude and the disrupted area not to exceed over 35 %. Seconded by M. Bourque and so voted by: Ch. Abelson, T. Clancy, S. Foulkes, M. Bourque, B. Rice, R. Bennett. L. Dunn**

**Vote: (4-3) To recommend**

**Ch. Abelson, T. Clancy, M. Bourque R. Bennett – (Aye)  
S. Foulkes, B. Rice, L. Dunn (Nay)**

**Discussion: Assisted Living Facility Bylaw**

J. Hansen At the last meeting the board discussed this bylaw and in particular the proposed local preference policy the board was debating over which categories should be placed in that local preference.

After discussion:

**Ch. Abelson made a motion to put the first two categories:**

**1) Current residents: A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.**

**2) Municipal Employees: Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.**

**into the proposed assisted living bylaw seconded by B. Rice and so voted unanimously by: Ch. Abelson, T. Clancy, S. Foulkes, M. Bourque, B. Rice, R. Bennett, L. Dunn**

**VOTE (7-0)**

J. Hansen I will this bring this back to you next meeting for the board to sign and then one of you can get more signatures for the citizens petition. You need 10 signatures.

**Discussion: Housing Production Plan**

Ch. Abelson I still would like us to see us pull the Housing Production plan for now. I want it pulled off the ballot because I can't see that being productive. If it goes on the ballot you can't ask questions.

B. Rice It works better as a warrant article rather than a ballot question at town meeting.

L. Dunn If it does get pulled what next?

Ch. Abelson We work through it with the BOS and have a discussion and get it to what we all want.

J. Hansen The only purpose of getting the plan approved from the start and the reason why you have to go through the selectman is the State regulation that gets adopted by this board and the board of selectman for the purpose of providing us with an insurance policy against bad affordable housing developments. The Plan is already written and we are following it right now.

Ch. Abelson In conclusion we should try and get this off the ballot.

### **Discussion: Master Plan Committee**

J. Hansen      Since we have been having trouble with the Housing Plan and the Master Plan is a larger document with the Housing Plan within it I thought we should change our approach. We come up with a committee other than the Planning Board to develop the Master plan. There would be a representatives from this board and other boards like the selectman, fiancé committee, capital etc.... maybe we would get a better buy in when go for the ultimate approval. We are going to start having serious discussions on the master plan our survey has results, the baseline inventory is almost complete, the consultants are almost ready to take the next step to develop the goals and objectives and if we have goals and objectives that the general public is not comfortable with then you face the same issues we did with the affordable housing plan but if you have people who are sitting on the committee who are part of it they take ownership of it. It is on the BOS's agenda for tomorrow to discuss we can see where that discussion goes.

S. Foulkes      Should we wait to discuss it after the election.

J. Hansen      We could do that.

Ch. Abelson     We could just suggest to them that we would like to see a committee formed like that but wait till after the election.

J. Hansen      Also on the BOS agenda tomorrow night they included our budget, which includes phase 2 of the Master Plan. Phase 2 is the implementation and strategy section of the plan and without the funding you will have an incomplete plan so we need to make that clear. We had issue last year with BOS endorsing this request it is the same amount money \$ 40, 000.00.

### **Correspondence:**

J. Hansen      Had correspondence from CPC about affordable housing they have been trying to get some projects adopted and the housing authority hasn't taken the lead as I feel they should on possible projects like the building at Luther's Corners.

L. Dunn        The tax title land.

J. Hansen      And other sites.

L. Dunn        So should be thinking about projects?

J. Hansen      I just wanted to bring it to you because it doesn't seem like there is any group out there applying for CPC funds related to affordable housing. Does this Board have any interest in spearheading a CPC effort for affordable housing?

- Ch. Abelson I don't think so. I think it belongs to the housing authority
- S. Foulkes What do you think about the InMotion correspondence? I think from the correspondence they are looking for an answer via email.
- B. Rice He wants to have an informal meeting and I would prefer him to come before the Board.
- J. Hansen I anticipated that and asked him and he said no.
- Ch. Abelson I wouldn't care if he came for an informal discussion.
- J. Hansen I explained to him that the very nature of the word discussion means it's informal he still said no.
- Ch. Abelson He has been parking the cars better they aren't in front of the handicap parking anymore.
- M. Bourque Is it better than it was?
- Ch. Abelson Yes
- S. Foulkes I lean towards putting something in writing. We are at a stale mate here.
- B. Rice Can't we have a discussion with them face to face?
- Ch. Abelson I think we should just watch it and take pictures and tell the Building Inspector/Zoning enforcement officer Mary McNeil.
- R. Bennett I think we should talk to Mary the zoning officer
- Ch. Abelson Asked John to send a letter to Mary McNeil and invite her to a meeting to discuss this. (Second meeting in March)**
- L. Dunn Other correspondence: Temporary sign bylaw do we have any input into this?
- J. Hansen At some point there will be a public hearing on this Mary was giving us the courtesy of letting us seeing this for our input or recommended changes. This has been going on for 2 years and the only thing that has changed was 30 days to 60 days for a temporary sign.
- L. Dunn So can we read this over think about it and discuss this when Mary comes to our meeting in March.



**Approval of Minutes: January 25, 2011 & February 8, 2011**

**M. Bourque made a motion to approve the minutes of January 25, 2011, seconded by T. Clancy and so voted by: Ch. Abelson, T. Clancy, S. Foulkes, M. Bourque, B. Rice, R. Bennett. L. Dunn**

**VOTE (7-0) Approved**

**R. Bennett made a motion to approve the minutes of February 8, 2011, seconded by T. Clancy and so voted by: Ch. Abelson, T. Clancy, S. Foulkes, B. Rice, R. Bennett. L. Dunn**

**VOTE (6-0) approved**

**M. Bourque abstained**

**Adjournment**

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

**VOTE: (7-0) Approved**

The meeting adjourned at 9:30 pm

Respectfully Submitted by:

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Florice Craig, Secretary