

**`SEEKONK PLANNING BOARD
Public Hearing and Regular Meeting
MINUTES
September 11, 2012**

Present: Ch. Abelson, R. Bennett, R. Horsman, S. Foulkes, M. Bourque, L. Dunn
J. Hansen, Town Planner

Absent: J. Ostendorf (with cause)

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

Ch. Abelson opened up the Public Hearing for:

Definitive Subdivision: 376 Warren Avenue

Ch. Abelson read the order of business.

A motion was made by Ch. Abelson seconded by Mike Bourque and it was unanimously

VOTED: To waive the reading of the legal notice.

Introduction of Town Planner and Board Members

Discussion:

Paul Carlson from InSite Engineering representing applicant summarized that this piece of property is 376 Warren Ave., lot 1 map 26. It is a 6.2 acre piece of land with non-contiguous frontage of 117.99 feet and 101.60 with an existing dwelling and an open field to the rear. The property is in an R-3 Zone. He went on to say they are proposing to demolish the existing farm house and construct a new dwelling with the appropriate setbacks. It will be on its own 40,000 sq. ft. lot with 117.99 feet of frontage leaving the remaining 5.3 acres of land on a separate unbuildable lot with 101.60 ft of frontage.

P. Carlson said that Lot A had gone before the Zoning Board and they granted variances for the front yard setbacks.

Ch. Abelson asked for opponents or proponents to speak. None

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

VOTED: Adjourn the Public Hearing

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

VOTED: To approve the 2-lot Subdivision Plan of 376 Warren Ave dated July 19, 2012 with the waiver for the lack of required frontage of 150 ft. with the finding that it is in the public interest and not inconsistent with the Subdivision Control Law.

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

Ch. Abelson opened up the Public Hearing for:

Zoning Bylaw Amendment: Continuing Care Residency Campus Overlay District - Firefly

Ch. Abelson read the order of business.

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

VOTED: To waive the reading of the legal notice.

Introduction of Town Planner and Board Members

Discussion:

David Bray of Caputo and Wick LTD representing the applicant summarized that he was before the Planning Board for a proposed bylaw change. The amendment would define and regulate what a continuing care residency campus overlay district (CCRCOD) in the Town of Seekonk would be if the bylaw was approved. He went on to describe that they were proposing a rezone which included plat 14, lot 87 and parts of lots 78 & 96. The current zoning is R-3/Mixed use. The proposed amendment would allow uses such as, assisted living facilities, independent living facilities, a medical office, a golf course and accessory commercial/retail uses. It is approximately 67 acres of land and will permanently set aside 22.8 acres of land as open space that can be used for recreation. Specifically proposed items include a 120 bed assisted living facility, three separate buildings each containing 22,000 sq. ft. of retail space on the ground floor and 100 units of independent living facilities on the upper three floors, and a 21,000 sq. ft. medical office building.

He went on to say in the open space they will put all utilities they can underground and the campus will be served by a waste water treatment facility within 2 miles of the area depending on DEP. Currently, they are looking at options to connect to the Greenbrier Condominium's waste water treatment facility.

S. Foulkes asked about capacity of that waste water treatment facility.

D. Bray said the waste water facility would be able to handle it based on the current design.

M. Bourque asked if construction will be done in phases.

D. Bray responded yes the health care building will be built first then one of the independent living buildings. It will be a continuous building cycle for several years.

M. Bourque asked J. Hansen if it fit in within the current Master Plan.

J. Hansen answered that it fits in with the mixed use designation and the aging demographics and is consistent with the recently adopted Master Plan.

Ch. Abelson asked if there were any questions from the audience.

Greg Brown 99 Brook Hill Drive commented in his opinion this property was not the right place for this type of facility. It would be better to leave one of the last beautiful places in Seekonk open space.

Henry Dutra 54 Ipswich Street commented that he has always had trouble with water on his street and said he was concerned this project would create more water. He also voiced concern over possible tax increases for the residents in Seekonk due to more road work and more ambulances'.

Ron Rupert 757 Arcade Ave. asked if this was the final approval or if it still had to go to town meeting.

Ch. Abelson said that this is just the first step and it still had to go to town meeting.

C. Tapalian 44 Davis St. commented that all construction will be in upland areas and he noted that where the facility is to be built it is not near the water table or existing drainage. He said the project would be a state of the art medical facility and would probably bring in a million dollars a year in taxes.

N. Almeida 161 Greenbrier Dr. commented that he thought the CCRCOD was a great opportunity for the older generation in and around Seekonk. He believed the location on Fall River Ave. near *The Old Grist Mill* was an advantage. He also liked the idea of the retail stores being on site. He told the Planning Board that if he was on the board he would recommend this project.

S. Foulkes asked will there be preference to Seekonk residents saying it would be a good selling point.

C. Tapalian answered it was not written in the bylaw but that they can attach an amendment at town meeting allowing Seekonk residents to have preference. He was in favor of the idea.

M. Bourque commented that the board could make that requirement during their site plan review as it would make it easier than on town meeting floor.

Donna Stone 87 Brook Hill questioned the type of residents the facility would allow to live there. She was asking because she does this for a living and said if special education families were allowed that would be part of their special education budget. She wondered if it was geared for mostly over 55 or was it so many section 8 units with families with kids with special needs.

D. Bray answered the facility would be comprised of an older population or a person born with a disability or a person who couldn't get their own apartment and needed handicap accessibility or special care. He said it was not geared as a family atmosphere as that would be expensive. Services provided are not really set up for that.

Arthur Hines 759 Arcade Ave commented that his concerns were that his property abuts the opens space area and he said the golf course for the last few years was not properly being maintained. His other concern was the traffic flow problem at the Grist Mill and thought before anyone does anything that should be addressed.

Ch. Abelson noted that the traffic flow problem was being addressed and it would start in 2015. The CCRCOD would be build before and probably during that process.

Suzanne Dutra 54 Ipswich St. commented on the amount of noise, traffic and accidents at the corner of Taunton Ave and Fall River Ave. She also commented on the water problem on Ipswich Street.

Cathy Perry 36 Hull St. commented she thought the assisted living was a good idea for Seekonk but not there because of the water problems. She said in that whole area there is no drainage and in the winter time it is always ice. She asked the board to think about it.

A motion was made by M. Bourque seconded by R. Bennett and it was unanimously **VOTED: Adjourn the Public Hearing**

A motion was made by R. Bennett seconded by M. Bourque and it was unanimously **VOTED: To endorse the Zoning Bylaw Amendment: Continuing Care Residency Campus Overlay District – Firefly and have it go to Town meeting.**
By: Ch. Abelson, R. Bennett, L. Dunn, R. Horsman, S. Foulkes, M. Bourque

Ch. Abelson opened up the Public Hearing for:

Zoning Map Amendment: Plat 12, lots 10-17; Morris Street

Ch. Abelson read the order of business.

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

VOTED: To waive the reading of the legal notice.

Introduction of Town Planner and Board Members

Discussion:

J. Hansen reminded the board that they were asked to look at the Zoning Map Amendment for Plat 12 lots 10-17 for Morris Street. The rezone would be from an R-1 zone to Highway Business zone. The parcel of land abuts Highway Business zone on two sides and this would just be an extension of that zone. The reason for change is so a commercial use can continue to exist.

Patricia Pine 32 & 33 Morris St said she hoped the board would look favorably on endorsing the rezone from R-1 to Highway Business. She mentioned that Cable 9 of Seekonk was looking at the property to possibly build a new facility there.

A motion was made by R. Horsman seconded by M. Bourque and it was unanimously
VOTED: Adjourn the Public Hearing

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

VOTED: To endorse the rezone designation of Seekonk Assessor's Plat 12, Lots 10-17 containing approximately 24,515 square feet of land from R-1 to Highway Business.
By: Ch. Abelson, R. Bennett, L. Dunn, R. Horsman, S. Foulkes, M. Bourque

Form A: 2 Carpenter Street
Applicant Mitchel & Erica Fisk

J. Hansen summarized that a single family dwelling exists on the property and is zoned R-2. The proposed lot amendment is to divide off a 40,215 sq. ft. lot with 277.39 of frontage (120' required) and access along Oak hill Avenue.

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

VOTED: To endorse the Form A: 2 Carpenter Street - Plat 38, lots(s) 32
By: Ch. Abelson, R. Bennett, L. Dunn, R. Horsman, S. Foulkes, M. Bourque

Preliminary Subdivision Plan: Mellen's Knoll
882 Arcade Ave

P. Carlson of Insite Engineering summarized that Mellen's Knoll is a conservation subdivision and contains 47 acres with an existing dwelling and a wooded area and wetlands to the rear. The property is zoned R-2. They are proposing to create 14 new house lots all 15k sq ft on a 900 ft. public road ending in a cul-de-sac. It will have individual septic systems and public water will service lots. There will be an infiltration basin proposed for the drainage. There will be approximately 30 acres of open space. The drainage will be handled through a homeowners association.

P. Carlson also noted that there will be a name change as it will now be called Country Brook Estates.

M. Bourque asked why the open space on lot 1 was not included as part of lot 1 so it could be maintained by the owners.

J. Hansen said he didn't think there was any provision for these opens spaces to be deeded to the Town and said they would be maintained by the homeowners association.

P. Carlson went on to say to M. Bourque point; he was hoping that the homeowners association would maintain it. It was left that way only to try and keep all the lots around the same size.

J. Hansen said that lot could be amended to include that area and he would recommend making that part the plan now in the preliminary so the applicant knows going into the definitive that is what the board is looking for. He also brought up the possibility of having a pedestrian path going out onto and Mill Rd.

P. Carlson remarked there are several issues concerning the path. One being there is an existing gravel path that leads into this parcel it could be re-graveled and maintained. The owner might want to work with the town to let that happen. P. Carlson said the other issue is an encroachment where an abutting owner has been using this parcel of land for well over 20 years. There is a driveway and with that there is a situation where ownership comes into question.

J. Hansen said the board would have to ask the applicant to write a letter about the pedestrian path and address the cross connection issue.

A motion was made by Ch. Abelson and seconded by L. Dunn and it was unanimously

VOTED: To approve the Preliminary Subdivision Plan: Mellen's Knoll (Country Brook Estates) 882 Arcade Ave with the following conditions: 1) Lot 1 be amended to include the land along Arcade Ave. 2) a letter be written by the applicant to the abutter seeking a path connection from the subdivision to Mill Rd.

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

Surety Establishment: Ricard St. Extension
Costa Development

Mike Costa of Costa Development summarized that he was requesting the establishment of surety to guarantee construction of subdivision. The cost estimate is approx. 235K.

J. Hansen said the proper motion would to be established a covenant on lots 2 & 4 within the Ricard St. Extension Subdivision expiring on Dec. 11, 2012.

R. Horseman moved the motion.

Discussion

M. Costa asked if he could extend the date to June 2013.

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

VOTED: To amend the motion to have covenant expire on June 1, 2013.

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

Ch. Abelson opened up the Public Hearing for:

Zoning Bylaw Amendment: Section 25-Conservation Subdivision Design

Ch. Abelson read the order of business.

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

VOTED: To waive the reading of the legal notice.

Introduction of Town Planner and Board Members

Discussion:

J. Hansen summarized the Zoning Bylaw Amendment: Section 25- Conservation Subdivision Design is an incentive zoning provision to promote and encourage affordable housing lots. He went on to say that the board had discussed this before and the option the board chose was a density bonus option that is not mandatory and it allows for a 10% increase in the housing units for affordable units. It is an 8 lot unit subdivision minimum, allowing a market rate unit to be built. This is voluntary not mandatory and needs approval and a special permit from the Planning Board before doing this.

R. Bennett made a motion that the Planning Board recommends and support sending the Zoning Bylaw Amendment: Section 25-Conservation Subdivision Design to Town Meeting.

Discussion:

S. Foulkes asked what would be the appeal.

J. Hansen said that we are providing affordable housing units in the mix and making an effort to add some affordable housing to Seekonk.

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

VOTED: Adjourn the Public Hearing

R. Bennett's motion was seconded by M. Bourque and it was

VOTED: That the Planning Board recommends and support sending the Zoning Bylaw Amendment: Section 25-Conservation Subdivision Design to Town meeting.

By: Aye-Ch. Abelson, R. Bennett, L. Dunn, S. Foulkes, M. Bourque; Nay –R. Horsman (5-1)

Zoning Bylaw Update Proposal Selection

J. Hansen reminded the Board that they decided last year to update the Zoning Bylaws. He said it is typically the next step after updating the Master Plan. He went on to say he had received two proposals, from Horsley Witten Group and Kevin Scanlan and after reviewing them he was recommending Horsley Witten Group due to the Town's prior experience with HW on the Master Plan .

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

VOTED: To accept the Horsley Witten Group Proposal

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

Discussion: Possible Bike Path

R. Bennett discussed that he had been looking at the possibility of putting a bike path in Seekonk for awhile. He noted J. Hansen contacted SRPEDD and they provided a map for roads that would be able to accommodate a bike lane (on the side of the road) in Seekonk. He outlined the different phases. The least expensive phase would be to maintain a bikeway along side of the road which would only require DPW to stripe lines on the road. Other phases to be looked into include the railway, conservation land, or school properties.

J. Hansen said the majority of these roads are town roads so it would be up to DPW to do the striping. He said that if the different departments in Town like Planning, Conservation, BOH, Recreation, DPW and other groups like SRPEDD or bike groups in town got together to support this they could put together a formal recommendation to the BOS who if in agreement could authorize DPW to stripe the roads.

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

VOTED: That the Planning Board supports the concept of creating on road bike paths and authorize R. Bennett to be the spokesperson for the Planning Board when going before the BOS to endorse the idea.

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

Discussion: Master Plan Implementation

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

VOTED: to put Discussion: Master Plan Implementation on next Planning Board agenda.

Correspondence:

J. Hansen let the Planning Board members know that the Luther's Corners public workshop is set to be on October 2, 2012 7:00 PM at the Seekonk Congregational Church.

J. Hansen updated the Board members that the Town Administrator gave him a cost estimate from the BOS for the removal of hazardous materials from the School Street building. He said the BOS would like the PB to study the estimate and to advise the BOS if this board is interested in the School Street building for any projects. The estimate was between \$ 22,000 - \$83,000.

R. Horsman asked if J. Hansen could e-mail a copy of the estimate to the board members.

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

VOTED: That the Planning Board send a letter to the BOS suggesting they find the cheapest option to clean out the hazardous materials in order to prepare the property for a use if they have one or sell it at the highest possible price. The Planning Board is not interested in the School Street Building for any projects.

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

Approval of Minutes:

A motion was made by R. Bourque and seconded by R. Horsman and it was

VOTED: (5-0-1) to accept the minutes from 7/10/12

**By: Ch. Abelson, R. Bennett, L. Dunn, R. Horsman, M. Bourque,
S. Foulkes abstained (not present for meeting)**

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

VOTED: To accept the Executive session minutes from 12/13/11

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

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

VOTED: To accept the Executive session minutes from 1/10/12

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

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

VOTED: To adjourn the meeting at 9:45 PM

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

Respectfully Submitted by,

Florice Craig