

## SEEKONK PLANNING BOARD

Regular Meeting

June 10, 2014

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Present: Ch. Abelson, R. Bennett, M. Bourque (7:08pm), L. Dunn, S. Foulkes, D. Sullivan,  
D. Viera  
J. Hansen, Town Planner

Absent:

7:00PM Ch. Abelson opened the meeting

### Form A – 696 Read St. – Ann Jordan

J. Hansen summarized that the Form A is a 21 acre vacant property zoned R-4. It was broken into 2 lots per an ANR plan in 2013. He said the proposed amendments include frontage of 258' for lot 1 and 226' for lot 2. (Minimum 200') and access to the property would be on Read Street an accepted way.

D. Viera asked why this was before the PB.

Ann Jordon introduced herself and said an ANR was done last year but it was done incorrectly and she wanted the lot lines fixed.

J. Hansen recommended approval of this ANR as it meets the exemption clause within the definition of a subdivision in the rules and regulations governing the subdivision of land for changing the size of lots in such a manner so as to not leave any lot affected without the proper frontage.

**A motion was made to endorse the Form A for 696 Read Street Dated 4/21/14**

**Vote 6-0-1**

**M. Bourque Abstained - arrived at 7:08pm**

### Surety Establishment- Jacob Hill Estates – Palmer River Development

J. Hansen summarized that the applicant proposed a cost estimate of approximately \$856K, which was reviewed and approved by the PB's inspecting engineer. He went on to say the applicant is proposing a covenant over the entire development as surety with the expiration date of 18 months.

D. Sullivan asked J. Hansen to update the PB on what has been going on out at the site.

J. Hansen said at the last meeting the PB decided to follow the lead of the Conservation Commission (Con Comm) to come up with any fines, replication plan, plantings etc... and to date they have not submitted plans that have been approved by the Con Comm.

N. Abelson noted that the Con Comm meeting is next week.

D. Sullivan said that at the last PB meeting it was discussed not to allow the surety establishment until after the replication plans were submitted and approved.

N. Abelson said he did not recall that part of the discussion. He said by having the surety in place, the PB and Town would be better protected and the cease and desist would still be in place.

Matt Antonio of Palmer River Development handed out a plan he had submitted to the Con Comm a week ago showing a detail of the two areas affected by the tree cutting. He said one area was not within the subdivision (It was the Form A lot). The other area was within the subdivision, the back of lots one and two. He said he was disappointed and embarrassed; noting it was an honest mistake which cost them time and money.

M. Antonio continued saying after he found out there was a problem he immediately contacted Con Comm and Planning and the area is now ready to be replicated. He said that the 100 ft buffer is now where it needs to be. He noted he planted 14, 2-3" caliper trees (Linden, Oaks and Elms) as a jester of good faith to make up for the mistake. He said they have a plan that shows a survey location of the trees that were cut and they hired Brandon Faneuf who did the original wetland flagging on the property. He said Mr. Faneuf went to the site and identified all the stumps as well as had a meeting with the Conservation Agent to brief her on what he intends to present at the Con Comm meeting June 16.

M. Antonio said regarding surety, he would be placing a covenant on the entire property.

J. Hansen said that the PB would replicate whatever the Conservation recommended, for example, if they decided on a dollar amount for the fine it would be doubled.

S. Foulkes said she would like to know what happens at the Con Comm meeting.

J. Hansen said he would email the results of the meeting to the PB members.

J. Wright 91 Jacob St. spoke about the vernal pool area being near his property and how he thought it was once much larger than what everyone was talking about.

**A motion was made and voted unanimously to establish surety at a value of \$856K for Jacob Hill Estates with a covenant on the entire development, expiring in 18 months.**

Site Plan Review- Ledgemont Country Club - J. Ruggiero Sr.

P. Carlson of Insite Engineering introduced himself summarized the proposal of the new site plan for Ledgemont Country Club located off of Brown Ave. He said they are planning to relocate the outdoor pool to the location of the tennis courts, keeping three courts and construct a driving range, which has already been done. He said the area to the north of the pool is a driving range. He noted they have already been through Con Comm to get this approved and have submitted it to the review engineer Dave Nyman from CEI. He has reviewed it for stormwater requirements which they have met.

L. Dunn asked for the record, what happened with the cutting of the trees to the north and the west.

P. Carlson said they had an RDA (Request for Determination of Applicability) and it was originally approved by Con Comm to add a driving range for a certain amount of land which was about  $\frac{3}{4}$  of the land that is cut now. He said the limit of disturbance was about  $\frac{3}{4}$  of the way and there was no marking where that point was so they cleared up to the property line. When it was discovered, they received a cease and desist order for the work that was in the buffer. He then noted they went to the Con Comm with a revised set of plans and ultimately got an approval by Con Comm for the work that was proposed after the fact.

L. Dunn asked if they would be replanting that.

P. Carlson said no because it is within the 50 foot buffer which is allowed under the RDA.

L. Dunn asked about the parking.

P. Carlson said the parking would stay the same.

G. Haddad 62 Tanager Road said she was confused in that she thought the cutting that was done for the driving range ended up clearing trees that were part of the wetlands.

P. Carlson said no it was not in the wetlands but within the buffer zone. The cease and desist order was issued because the area that was disturbed was beyond the limit of the original RDA. The original RDA approval was to a certain location; the existing or the additional clearing that happened was to the property line. He went on to say that the area between the 50ft and 100 ft buffer was distributed, so the cease and desist came from the Con Comm because of the work that was done in the buffer. He went on to say they subsequently filed the appropriate paper work which was then approved for that area disturbed with modifications.

K. Ratcliffe 251Brown Ave. asked if the FEMA flood map was taken into consideration.

P. Carlson said yes they took into consideration the FEMA Flood evaluations (he showed on the plan). He said it was reviewed and approved by D. Nyman, the review engineer.

K. Ratcliffe said at the last Con Comm meeting they were suggesting that trees be planted but she was not hearing anything about that now. She also asked about and the hay bales maintaining a boundary.

P. Carlson said as part of the conditions of approval from Con Comm the limit of disturbance is on the 50 ft buffer which is now the location of the hay bales which will remain in place until they decay, which is a year or two.

K. Ratcliffe asked about the 50 ft zone in regards to the removal of the species that are invasive and was that different from what they were hearing.

P. Carlson said yes there are invasive areas located along the entire perimeter. It was approved under Con Comm to eradicate under specific guidelines that will be submitted to Con Comm at the time the work is to be done.

K. Ratcliffe asked about landscaping.

J. Hansen said they are not proposing any landscaping because it an existing parking lot.

**A motion was made to approve the site plan with the following conditions:**

- 1) Spot Grades: the top of the proposed berm should be finished at an elevation of at least 73.8 ft, to allow for freeboarding during the 100-year design storm.**
- 2) Prior to initiating construction, the applicant file for coverage under the US EPA NPDES General Permit for Construction Activities. Provide the town with a copy of evidence of filing for this coverage, together with a copy of the required Stormwater Pollution Prevention Plan.**

**Vote: 6-0-1** (L. Dunn -abstain)

Correspondence:

J. Hansen showed the PB the new **Pre-Construction Check List**.

There was further discussion to have a Public Hearing August 12, 2014 at 7PM to discuss and vote on Fines, Pre-Construction Checklist and the New Surety Policy.

J. Hansen summarized that the Building Official had come to him about a request for a large scale solar panel project in an R-4 zone district. He said as it stands the applicant would not be able to do it based on the present bylaws. He asked the PB their feelings about opening up the solar overlay to the R-4 zoning districts. He said per the definition a large scale solar project would basically have to fit in an acre of land, so he thought the PB would not want to have it in any zoning district other than R-4.

D. Viera said he would like to think about it.

Ch. Abelson said he would like to think about it as well.

R. Bennett commented that in a cluster development there is a certain amount of designated open space and he wondered if the open space could be used for solar panels to provide electricity to the subdivision.

J. Hansen said that was also something to think about.

D. Viera brought up a possible site plan violation at InMotion Motor Sports 1420 Fall River Ave. PB directed J. Hansen to write a letter to the Building/Zoning Official that they are in violation of the Site Plan.

Approval of Minutes: 5/13/14

**A motion was made and voted unanimously to approve the Planning Board Minutes of 5/13/14**

Adjournment

**A motion was made and voted unanimously to adjourn at 9:00PM.**

Respectfully Submitted by,

Florice Craig