

SEEKONK PLANNING BOARD
Public Hearing / Regular Meeting / Work Session
February 9, 2016

Present: Ch. Abelson, M. Bourque, R. Bennett, S. Foulkes, L. Dunn, J. Roach, D. Sullivan
Absent: None

Ch. Abelson called the meeting to order at 7:07 p.m. The Agenda was read for the record. A motion was made by R. Bennett to waive the reading of the public notice and seconded by M. Bourque and it was unanimously approved. The Planning Board Members were introduced.

PUBLIC MEETING: Curt Street Extension

J. Aubin advised the board he received correspondence from; 1) Alex Gorodetsky from Gorodetsky Engineering requesting waivers; and 2) from abutters, Mr. Agostini and Mr. Stephen Barao (copies were provided to the board members).

Alex Gorodetsky from Gorodetsky Engineering located at 422 North Main Street in Fall River, MA, telephone number 508-617-4678. He summarized his proposal for a 4 lot subdivision. He provided a brief history of the property and advised that about 10 years ago Waterman Engineering designed an 8 lot subdivision on the property. The site is approximately 9 wooded acres with a running stream. He provided a brief summary of the land, soil, and subdivision plans. The proposed plans presented included approval from Conservation, MEP, each lot was perked will have a septic system. The Fire Chief previously requested a change be made to the driveway and now it has been approved. Waivers were required for a shorter 140' to the hammerhead due to drainage, easement, and 2 manholes. Two existing catch basins on the property were pointed out. All the runoff from the proposed development will go into the cul-de-sac extension. The hammerhead has 2 waterways and each are about 10' wide. The water will be infiltrated. A 6' wide swale is being proposed for the runoff from Mr. Viera's property and part of the runoff from Chelsea Drive. The swale intercepts runoff from Chelsea Drive, Mr. Viera's property and the infiltration area. Runoff from the pavement north of the driveway will go into a smaller infiltration area; water rate overflow into larger infiltration area by using swale systems and most of the runoff will go into the brook. Water will probably not be seen in the swale area during smaller rain storms. The 100-year storm has no increased runoff (left microphone to show plans). Page 2 shows roadway and cul-de-sac, and page 3 shows swale, infiltration, forebays, and catch basin.

J. Aubin inquired about the age of the system.

A. Gorodetsky does not have a date but said it was probably built in late 60's, early 70's. There is a drainage easement.

L. Dunn asked if the perk tests done in October 2006 were still valid.

A. Gorodetsky replied yes.

L. Dunn brought up the fact that over the past 10 years we had a flood, Chelsea Drive was built, and drainage has been altered significantly.

J. Aubin said the BOH regulations would dictate the perk test. Mr. Aubin did confirm with the Health Agent whether or not they had any concerns with regard the design of the proposed systems and Mr. Chenevert indicated there were none. However, he did not specifically ask him whether or not a 10 year old perk test was adequate.

L. Dunn asked that this be addressed since the abutters have had many problems and does not want this project to make it any worse.

A. Gorodetsky said he is following state regulations.

L. Dunn said considering the trees have been removed, there has been significant alteration to the hydrology in that area.

A. Gorodetsky said he is not altering the infiltration capacity of the soil.

Mark Periera, an engineer with Woodard and Curran conducts reviews on behalf of the Town said that typically perk tests do not expire unless the land has been altered during that time.

L. Dunn said the land has been altered.

M. Periera said for the record, the septic system is outside their prevue for this project so he is providing outside guidance and typically someone who is certified does the septic tests. The things he would be concerned with is if you had significant action from traffic and heavy machinery in the last 10 years. Since he does not know the history of the project so he would defer it to the state.

D. Sullivan asked, for the record, if Mr. Periera was here on behalf of the Town of Seekonk or Gorodetsky Engineering.

M. Periera said he is contracted with the Town of Seekonk and they are reviewing this project on behalf of the Town of Seekonk. However, Woodard and Curran is reviewing the storm water system and not the septic system.

S. Foulkes inquired whether or not the removal of trees is considered land alteration.

J. Aubin asked Mr. Pereira when he refers to "alteration" is that alteration to the location of the site or alteration of the proposed septic system.

M. Pereira said it is the alteration of the proposed site of septic system. Typically when you have a design you always want to make sure you are testing at the location and not 100 feet within the location. Any perk test would have to be done at the exact location because there is soil variability amongst the sites.

M. Bourque asked how Mr. Gorodetsky calculated the runoff from Chelsea Drive and Sykes Road to put in a swale around the property.

A. Gorodetsky said he has software to calculate the runoff.

M. Bourque asked if he went from Chelsea Drive all the way up to Greenwood.

A. Gorodetsky said he analyzed about 120 acres. He started the range to analyze the brook... (area was shown on the plans).

M. Bourque said that on Chelsea Drive there is a swale on the left side of the road that goes the whole length of the road...

A. Gorodetsky said that was correct. He said he can make assumptions of the runoff from Chelsea Drive down into the swale. The swale is 6' wide and about 1 ½ ft deep.

M. Bourque asked if there is an outlet going towards Curt Street for the swale that runs all the way down Chelsea Drive at the cul-de-sac.

A. Gorodetsky (inaudible, demonstrating on plans).

M. Bourque asked if there is an easement for either the town or someone else to get in there if there is flood or it needs to be cleaned.

A. Gorodetsky answered yes there is an easement (plans shown).

M. Bourque asked if there is an HOA for the maintenance on the private land.

A. Gorodetsky said he did not think that would be an issue since Mr. Viera will be living on the lot.

M. Bourque asked what would happen when he moved.

A. Gorodetsky said Mr. Viera probably will not have any objections to having an HOA with the four houses.

M. Bourque said the 4 houses would have to be in the HOA since even the ones on the cul-de-sac are going to be on privately owned land.

Ch. Abelson said the HOA is the policy at this time.

R. Bennett asked to clarify the frontage to the 4 lots.

A. Gorodetsky said the land is capable of having 7 lots but Mr. Viera only wants 4 lots on the 9 acres to minimize disturbance.

J. Aubin requested for clarification for the frontages of each lot.

A. Gorodetsky presented the plans for lots 1-4 showing the frontage requirements. The lots either meet the frontage requirements or they fall under the alternate minimum standards.

J. Aubin asked if he was taking the linear distance of the linear hammerhead to create the frontage for each of the 4 lots.

A. Gorodetsky said correct.

D. Sullivan explained that porkchop lots and non-conforming lots are not accepted in our Rules and Regulations, however, that is what the plan indicates at this time.

A. Gorodetsky answered he understood but (inaudible/background noise) the reason for doing it was a trade-off because he can add more lots.

D. Sullivan replied he was putting them on spot if they had to choose between more houses and this development.

A. Gorodetsky said correct he is trying to minimize the impact.

M. Bourque said he has spoken with the Fire Chief with regard to the shared driveway at the end of the road and it is supposed to be a hammerhead but he doesn't see it on the plans. He does see the hammerhead at the end of Curt Street, but does not see the hammerhead there...

A. Gorodetsky showed him on the plans.

M. Bourque said the hammerhead on Curt Street is correct but the other one is more of a turnaround. The hammerhead on Curt Street is not the same configuration that you are pointing to.

A. Gorodetsky said the Fire Chief gave him a picture of the fire code.

M. Bourque asked if that was the picture.

Alex said it was similar.

M. Bourque said he has had issues with hammerheads because someone may park in that area which defeats the turnaround. A 40' ladder truck will get stuck in there and will not be able to turn around. We need clarification on that.

(Too many people speaking at once)

J. Aubin said that it is 90 degrees. He said the driveway off the left hand turn...so someone coming in that driveway would come in, take a left into the turn around and then take a right into the driveway.

A. Gorodetsky answered correct.

M. Bourque asked if the road is 20' of pavement going in until you hit the conservation area, then the pavement goes down to 18' of but there is hard (inaudible).

A. Gorodetsky said the shared driveway is 20' of pavement all the way through. He specifically asked the Fire Chief, 18' pavement then 1' of berm.

D. Sullivan asked if he meant 20' wide.

He said yes 20' wide except the bridge. The bridge is 14' and he agreed to that. The whole driveway is 20' wide from start to the end.

M. Bourque asked if 20' but only 18' is pavement.

J. Aubin clarified it was 18' but 1' berms on each side.

PB discussed standards for shared driveways.

L. Dunn was concerned with pervious and impervious surfaces.

J. Aubin said the 20' paved driveway is required to allow access for emergency vehicles.

S. Foulkes raised the concern of the larger 2 lots being subdivided again in the future.

A. Gorodetsky said it would not be.

J. Aubin said a condition could be place on the deed.

A. Gorodetsky agreed that it could be put on the deed.

M. Bourque asked Mark Pereira if the swale in the back of the property had been looked at yet, and if so, would the swale be able to handle the water and the possible run off from other areas.

M. Pereira explained when the project was first reviewed they provided comments based on the July plans. They recently received the revised plans and that is something they will be looking at. One of the main reasons they were hired was to review the storm water. They will review the information that the design engineer provided. They will confirm if there is 120 acres, the concern from the Chelsea Drive swale, and confirm as to whether there is no infrastructure discharging to the watershed. Once that information is in place, we look at the land uses and look at how the infiltration (tape skipped). Once we get all that information, we look at how the runoff is being calculated. All these things create how much flow is coming from the watershed and how much is ending up in the swales. Then we take a look at the calculations for the swale to see what the capacity for the swale is. We confirm the capacity of the swale vs. how much the watershed is. By looking at the capacity we should determine the velocity. The plans did not conform to the Seekonk Rules and Regulations in July, therefore, we asked for a revised set of plans. Our intent of the revised design is to make sure all our comments and concerns are answered from our first review.

Ch. Abelson asked Mr. Gorodetsky about the waivers he requested.

A. Gorodetsky summarized why each waiver was being requested. 1) less disturbance for above ground utilities; 2) ground water table; 3) requests not to construct sidewalks; 4) ZBA will determine (inaudible).

N. Abelson opened the meeting for questions/concerns to the public (opponents and proponents).

Sandeep Sodhi lives at 110 Chelsea Drive which is on the back portion of proposed subdivision. Their house was built in 2007 and the house abutting them was built in 2009. At that time, we asked about the perk that was done in 2006. He does not understand how the area would perk today because of the daily problems they have. Every year there is stagnant water in the entire development and that is not from the 100 year storm that we talk about. It is regular rain and we have enough significant amount of water that we have ducks. He also said they, as well as our neighbors, have water in their basements.

L. Dunn asked if his house had walkout basement.

Mr. Sodhi replied no.

Giovanni Pagano, 62 Chelsea Drive (he demonstrated on the plans where he lived), is the 6th lot in which is the low point where all the water from the swale comes in. The problems on Chelsea drive have never subsided. Meridian tried a number of things to address their mistakes. His concern is also with the water. Water finds the low point and according to these plans it looks like everything will need to be built up and everything will run off. Since we already have significant problems, he is concerned. Mr. Pagano advise the board they recently settled a law suit outside of court with Meridian Homes. It has come to their attention during the exploration phase of the suit that Chelsea Drive has not been taken over by the Town of Seekonk. He questions as to why Chelsea Drive has not been accepted by the Town and questions as to

whether or not it is a liability issue. He said if the PB was 100% confident in the science and unequivocally believes no more runoff will further exacerbate problems at Chelsea Drive, then he feels the Town should accept Chelsea Drive as part of the town and address their problems. If they are not confident then this entire project should be rethought. Mr. Pagano said this is not because of esthetic reasons or that they don't want another subdivision, it is about structural issues that have not subsided and potential issues that may arise. He also said that if a bridge is needed it should raise a red flag.

Sue Servidio, 122 Chelsea Drive (demonstrated on plans where her house is located) explained that she had to pay to have her backyard regraded due to flooding. They do have a walkout basement. Her concern is if the abutting property is on conservation wet lands then the lots will need to be built up. If they are built up she asked if a retaining wall can be built instead of a swale because she does not want to spend another \$6,000-\$10,000 building up her yard to accommodate another development.

A. Gorodetsky (inaudible-he was showing the plans to the abutters).

M. Bourque asked if any fill would be brought in to raise the property.

Alex said for the deck (pointed to plans), walkout basement (and again pointed to plans regarding the grade of land) but right now the grade is pretty much even.

M. Bourque said if the front yard was being raised then it will pitch towards his shared driveway.

A. Gorodetsky said the back yard is going from the existing grade...

M. Bourque asked if it will run off towards that swale.

A. Gorodetsky said around the swale (again pointed to plans).

M. Bourque asked if it was away from Chelsea Drive

A. Gorodetsky replied correct, away from Chelsea Drive.

Sue Servidio wanted to clarify that the swale ends around lot 62 or 70, however, she lives at the end of the street where there is no swale. She said the drainage plans for the development were not honored. Her neighbor that backs up to Sykes Road is literally a swimming pool. Meridian installed catch basins on her property and every single one of her downspouts is going into catch basins and she still has water.

Susan Sodhi, 110 Chelsea Drive, expressed her concerns for not only the water issue but lack of ability to grow trees because of the swampy land. Her neighbors to her left at 100 Chelsea Drive have a drywell and they still have water in their yard. She is not sure where the extra water will go. She also had to call the Town to clean the drain in front her house since it was full and overflowing. There are not just drain issues in their yards but in front of their houses as well.

L. Dunn believes that the engineer had to go back to check the elevations when Chelsea Drive was being built due to water problems. She thinks they may have discovered the water table was 6" higher.

Ch. Abelson said he remembers the engineer for the subdivision and he did not design the house lots. It was recommended that the water from the houses be pitched to the street and the water in the back was to be collected in the swale but many of the lots weren't graded. One of the houses was set too low.

Everett Gill, 97 Sykes Road, said that if no one is going to do any perks then everyone is going to find out in a hurry, If they go down about 5 feet they are going to hit water because 2 years I put a (inaudible) in and I hit water at about 4-5 feet.

A. Gorodetsky said the water table is 4 feet and septic system has to be 5 feet above water table. I think there is a way the neighbors on Chelsea Drive, if they cooperate with Mr. Viera, there is a way to take care of the water. The swale is going to be built lower. It will help with groundwater and runoff from their property.

M. Bourque asked if the plans presented show the basement floor elevations.

A. Gorodetsky said yes (proceeded to talk and show the plans). Houses being proposed will have walkout basements.

M. Bourque asked if they will be doing any current percolation tests.

A. Gorodetsky answered as the houses are proposed now, no, because the BOH accepts it.

R. Bennett asked if the swale can be designed to accommodate some of the runoff from Chelsea Drive.

A. Gorodetsky said the size of the swale is accommodating. There is some grade difference to prevent a runoff from Chelsea Drive but... A swale this size (inaudible-plans were being shown again).

M. Bourque asked if there was anything running from the end of Sykes Road at Chelsea Drive to the brook.

A. Gorodetsky showed the brook on the plans. He said he does not know where it goes (inaudible). There are two catch basins which are connected to (referred to the plans).

Ch. Abelson asked Mr. Pereira if they were to make modifications to the adjacent properties on Chelsea Drive would that affect the water management.

M. Pereira said there is always in issue to consider when moving flooding from one area to another area. You would have to change the stormwater plan to see what the impact would have downstream of this development. The way the regulations are written we have to look at, in this

case it's the stream, at what the preconditions are vs. what the post conditions are and then to mitigate any increase (tape skips).

J. Aubin suggested the PB make a recommendation to the BOH as part of their decision.

An abutter from Chelsea Drive said he has a 75' deep, 175' wide swale behind his house, and another 6-7 homes have that same dimension and there have been many times throughout the year it is a flowing river. The pipe in his yard cannot handle the water, the drains are overflowing on the street, and puddles are everywhere. He is not confident that a 6' swale will be enough to handle the water.

Stephen Barao, 109 Sykes Road, presented photos of damage that happened at his son's property during construction and tree removal. He requested that the photos be part of the record.

Another abutter said a tree fell on his shed.

J. Viera said he would be taking care of the damage to Mr. Barao's chimney once the weather was clear.

B. Blanchard, 85 Sykes Rd, expressed his concern since his lot as well as a couple of others have not been talked about yet. He asked about the grading and stormwater on Sykes Road.

Mr. Blanchard and Mr. Gorodetsky discussed and went over the plans.

M. Bourque said the plan does not show any stormwater management on any land outside of what he owns. He asked Mr. Blanchard if the water was coming onto his property from Mr. Viera's land.

A. Gorodetsky said there is no change in the backyard so he does not see a point for a swale.

M. Bourque inquired about the grade of the walkout basement.

A. Gorodetsky said the basement floor elevation is (inaudible-showing plans). The area is pretty much flat and there is no slope. At some point Mr. Viera can make a swale subject to Conservation Commission.

Mr. Blanchard presented photos to the PB members from rain a couple weeks ago.

Ch. Abelson advised this matter will be continued until March 8th.

An abutter requested that any potential buyers be made aware of the water because they would not have purchased their home on Chelsea Drive.

D. Sullivan made a motion to continue this matter until March 8, 2016, M. Bourque seconded and it was unanimously approved.

VOTE: Approved 7-0

The public hearing was adjourned at 8:36 p.m.

Discussion for Covenant Release and Surety for Girard Estates a Definitive Subdivision:

Attorney Marcelino was not present at the meeting on behalf of his client. Therefore, Mr. Aubin summarized the applicant's request for a covenant release and the setting of a pre-acceptance contingency surety for the project in anticipation of formal acceptance of the roadway (Betty's Way) at the May Town Meeting. The applicant requests that the remaining covenant be held by the Planning Board on subdivision lot 7 be released and a 5% pre-acceptance contingency surety be substituted as provided for in the Rule and Regulations Governing the Subdivision of Land in the Town of Seekonk. Based on the construction cost estimate for the development, the 5% pre-acceptance contingency amount is \$4,099.41. Mr. Aubin advised the PB that the check has been received.

R. Bennett made a motion to release the covenant on lot 7 on Girard Estates in lieu of \$4,099.41 to establish surety, D. Sullivan seconded and it was unanimously approved.

VOTE: Approved 7-0.

Discussion: Site Plan Application for 1727 Fall River Avenue

J. Aubin advised that Mr. Bray was present on behalf of the applicant. The original plans have been revised due to drainage concerns noted during the peer review.

David Bray from Caputo and Wick said they did address CEI concerns, ran some calculations, and made revisions regarding the drainage issues.

S. Foulkes inquired about bioretention area...

J. Aubin said they could 1) make approval on submission of documentation by the designing engineer (background noise); or 2) state that inspection being done by a PB representative.

D. Bray said his office can do a construction observation and write a report at the end. When installing the bioretention basins and infiltration structures they need to do a bottom inspection and watch daily flow/work to see how they install it to insure it is being installed in accordance with the plan. He will then write a letter stating they observed the installation of the structures and they were installed the way they were intended to be installed.

J. Aubin informed him that it must be certified by a professional engineer whether it is our inspector or Mr. Bray.

J. Aubin recommends the following conditions on approving the Site Plan:

1. Approval of the proposed waste water treatment system by the Seekonk Board of Health;
2. Authorization for the notice of Intent or such other approvals as may be required by the Seekonk Conservation Commission;
3. Any future uses introduced to the site shall only be established or changed in accordance with the applicable provisions of the Seekonk Zoning By-Laws.
4. Condition with regard to the inspection.

M. Bourque made a motion to approve site plan with the stated stipulations, D. Sullivan seconded and it was unanimously approved.

VOTE: Approved 7-0

Status Update: Site Plan Application for a proposed Large Scale Solar Photovoltaic Facility at 50 Woodland Avenue

J. Aubin advised the PB that the revised plans were received today so this matter will be further discussed at the next PB meeting on March 8, 2016.

Shawn Ainesworth, with InSite Engineering provided the PB with an update and discussed the concerns that were raised at the peer review. They are also waiting for approval from National Grid. Since it appears no groundwater will be affected, TGA will go with post mounted solar arrays. The majority of the project is not in the ground water district but there is a small section in the back on the eastside. He feels they can address any groundwater issues that may come up. According to Mr. Fisk it is mostly ledge in the area.

S. Foulkes asked how the energy is monitored.

S. Ainesworth said it is similar to a reverse meter on a house. The site will only require regular landscaping maintenance. Mr. Fisk has a recycling business close by so he will check on the area regularly. They are still working on the plans with National Grid, however from their perspective, they have submitted everything that is required to the Town. The only thing left would be the plans from National Grid.

S. Foulkes said it appears to be fairly low maintenance in the autumn and spring, but could be a little more in the summer and winter months.

S. Ainesworth said the roadways will always need to be clear for emergency vehicles, and when needed, snow will have to be removed from the panels.

L. Dunn asked Mr. Ainesworth if he had spoken with the water district.

S. Ainesworth advised he had not but there should not be any impact on drainage.

J. Aubin advised this matter will be continued to the next PB meeting on March 8, 2016.

Discussion: ANR 242 Lincoln Street, AP 16, Lot 28

John Aubin summarized the existing conditions and the proposed lot plans/amendments of 242 Lincoln Street. Mr. Aubin recommends endorsing the 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.

D. Sullivan made a motion to approve the ANR, L. Dunn seconded and it was unanimously approved.

VOTE: Approved 7-0

Work Session

J. Aubin provided an update on substantive, new provisions, and corrections of the 2016 ZBL Amendments. If the amendments/corrections are accepted, they will be forwarded to the BOS to place on the Spring Town Meeting.

A motion was made by M. Bourque to forward the ZBL amendments, substantive and new provisions, and the corrections to the BOS, R. Bennett seconded and it was unanimously approved.

VOTE 7-0

Discussion: SRPEDD Update

Technical Assistance Grant Application was discussed. It was suggested to ask for assistance for the bikeway map and zoning map update.

A motion was made by M. Bourque to accept the recommendation for the Technical Assistant Grant, R. Bennett seconded and it was unanimously approved.

VOTE 7-0

Monthly Department Update

J. Aubin informed the members that approximately 600 invitations were mailed to local businesses for the outreach and marketing program.

Approval of Minutes:

January minutes were not available to approve.

Adjournment

A motion was made by R. Bennett to adjourn the meeting, M. Bourque seconded and it was unanimously approved.

The meeting was adjourned at 10:10 p.m.

Respectfully Submitted by,

Kristen L'Heureux