

SEEKONK PLANNING BOARD
Public Hearing and Regular Meeting
September 27, 2016

Present: Ch. Abelson, S. Foulkes, L. Dunn, R. Bennett, D. Sullivan, and M. Bourque

Absent: J. Roach (with cause)

Ch. Abelson opened the meeting at 7:05 p.m.

DISCUSSION: Correspondence from Sagar Services, Inc.

D. Sullivan made motion to move the discussion regarding Woodland Ave/Sagar Services, Inc. until the October 11, 2016 Planning Board meeting at the request of Town Counsel. R. Bennett seconded and it was unanimously approved.

Mike Lowey, son of Patricia Lowey was present and expressed his concern with not being informed about the meeting since he traveled from Foxboro, along with his attorney that cleared the title, to be present for this meeting.

J. Aubin and P. Carlson advised him that the meeting was cancelled this afternoon and apologized for the inconvenience. They exchanged information to confirm the next meeting.

PUBLIC HEARING: Definitive Subdivision Brady Estates (off Lake Street)
AP 16, lots 3 & 38, located in an R2 Zoning District.

Chairman Abelson asked for a motion to waive the reading of the legal notice.

D. Sullivan approved the motion, R Bennett seconded and it was unanimously approved.

VOTE: 6-0

The Planning Board members were introduced: Ronald Bennett, Michael Bourque, Dave Sullivan, Sandy Foulkes, Phoebe Lee Dunn, and Neal Abelson

Paul Carlson from InSite Engineering Services was present on behalf of the applicant, Moonlight Realty. The Brady Estate Subdivision will be located on the south side of Lake Street just east of the intersection of Taunton Avenue and Lake Street. The property itself is approximately 17.6 acres of land. The proposed project will create 11 residential building lots, which will be accessed by approximately 950 foot linear feet of one road way. It has been designed under Seekonk Planning Board Subdivision Rules and Regulations, the roads and stormwater features will be constructed in accordance with the guidelines of Seekonk Subdivision Rules and Regulations and the Seekonk Conservation By-laws. The majority of the existing site is predominantly open fields with some

overlying brush and wooded areas to the south and west perimeters. The topography of the land has varying slopes throughout the site. The flow generally runs Lake Street to the south and ultimately to the west of the property. The BBW itself has been delineated and determined and is before the Conservation Commission for approval on the wetlands and for the stormwater measures. Currently there is a blue line intermittent perennial stream just off the west edge of the property which is being reviewed by the Conservation Commission. Each of the 11 lots will have lot size of approximately 22,500 sq. ft. and at least 120 ft. of frontage. The lots will be serviced by water available from the Seekonk Water District. Each home site will be developed with a septic system and each lot has already been perked. The proposed stormwater management, drainage system, roadway drainage, water quality measures include sediment forebays, deep sump catch basins, grass swales, infiltration basin were discussed. Stormwater flows will be equal or less than the preconstruction design and conditions. The goal of the Mass DEP Stormwater Management policy is to improve the water quality by the implementation of performance standards for stormwater management. These standards address water quality and water quantity. There are 2 different discharge points from roadway; 1) through a grass swale in center of the proposed roadway; and 2) through the cul-de-sac or an enclosed drainage system located within the cul-de-sac. Each of these drain to either grass swales or through the closed drainage system which is located at the west side of the project adjacent to the wetlands. The infiltration basins have met the requirement of the DEP standards and the wetlands have been designed to meet 100 year storm events. A HOA will be set upon approval of the definitive subdivision and they will ultimately handle all of the drainage structures as required by this board. The operational maintenance plan has been developed. The subdivision storm water measures has been reviewed with DiPrete Engineering. To date, we have satisfied all requirement from state and Seekonk. The subdivision itself and homes are well outside the 100 ft. buffer of the wetlands. The only items within the buffer zones are stormwater measures (i.e. infiltration basins, but there is no disturbance of the wetland itself).

J. Aubin referred the board to the letter dated 9/16 from DiPrete. He asked for verification of frontage on lot 1 from Mr. Carlson.

P. Carlson said all lots will have at least 120 ft. of frontage.

J. Aubin advised the DPW and FD have requested the cul-de-sac be fully paved.

(Photos of past cul-de-sacs were provided to review).

Discussion took place among the PB members regarding past cul-de-sacs.

L. Dunn expressed concern with the wetlands. She requested Mr. Carlson to double check the elevations of the houses.

P. Carlson said there is a good grade across the property. The septic systems and the house designs have been reviewed, but not fully designed. The perk test and soil elevations have been taken into consideration and reviewed by the BOH.

L. Dunn asked when the perk tests were done.

P. Carlson said approximately 2 months ago and witnessed by the BOH.

L. Dunn stated that it was done at an unusually dry time.

P. Carlson said the water table is not the underlying design perimeter. It is not where the water is shown but where the ionized area is within the soil. If there is no water because of a drought that doesn't make a difference as far as where that water table is observed.

S. Foulkes asked Mr. Carlson which lot is that the Conservation Commission asked to have the perk test.

P. Carlson said Warren (from Conservation Commission) wanted to see precipitation rates over the last 3-4 months from October of last year. It was concerning the stream along the edge of this property. The USGS map shows the blue line stream but there are means in which you can show that it is an intermittent stream so there are different classifications. With that classification is that you show four days of no flow or dry conditions within that, or there is a program called Stream Stats and each one of those programs can help in determining whether or not it is an intermittent stream. He wanted additional data and we will provide that to him. And that data will prove that what we are saying it is not a drought condition. We are meeting with them again next month.

L. Dunn asked about the NOI (Notice of Intent).

P. Carlson said DiPrete Engineering reviewed the subdivision to make sure it meets the Seekonk Rules and Regulations, along with the Stormwater Design that meets the state DEP standards and the town. Conservation is reviewing this for the work that is being done within the 100' buffer zone. It is filed with the time and then subsequently filed with the state. We are simultaneously submitting this plan to the PB and to Conservation.

L. Dunn asked if future homeowner gets water in their basement and comes back to the PB, what recourse do they have.

J. Aubin said the PB reviews the documents and plans presented, the town engineer reviews the project, but we can't foresee future conditions. As far as the elevations and grades, the PB can do, and has done in the past, is to place a condition on any approval they grant on certification by the project engineer as the houses are built in the development, that an as built plan is submitted in conformance with the overall stormwater design.

P. Carlson added that most of Seekonk has water tables that range from 3-4 ft. Generally new houses being constructed are designed as a walkout. In this development at least 6-7 of the 11 lots will be walkouts.

Discussion took place among the board members in regard to a work session to discuss Subdivision Rules and Regulations, HOA, design standards, etc.

L. Dunn asked if Mr. Carlson will follow through with the work that is being done.

P. Carson said an engineer of a subdivision responsibilities may include part of the house lot design. Typically he will design septic systems for each lot. He may not do all of them since other engineers may come in. As part of the approval of a roadway, an as built must be completed. The as built is fully surveyed and is compared against the design plan.

M. Bourque asked that the developer inform the buyers to be made aware of the HOA. It is not the PB's responsibility to advise homeowners after the fact.

P. Carlson agrees the home owners should be made aware of an HOA. The developer should advise the home owner and part of the responsibility falls on the title attorney.

M. Bourque asked if Mr. Carlson is concerned with the wetlands.

P. Carlson referred to the plan and said they are 25' from the wetlands.

N. Abelson asked if there were any opponents, proponents, or anyone with general comments concerning this subdivision who wanted to speak.

Ray Saleeba, 85 Lake Street, said his concern is with the drainage. The retention swale borders his property (he referred to plan). He has an active well that is not far from the swale and is concerned with contamination if it fails. He also has concerns with the perk tests. He said they were done 2 months ago but said they were also done in the spring and assumes they didn't do well. He wonders if they redid the perk test after a drought and thinks maybe it should be based on the worst case scenario.

N. Abelson said that either Mr. Carlson can address that concern or he may want to discuss that with the BOH.

R. Saleeba also addressed his concern of relocating a fire hydrant and the disruption of the root system of a 100 year old tree.

P. Carlson said the intent for the fire hydrant is to relocate it on the opposite side. The Seekonk Water District requires specific locations for their water mains to either be on the south side or on the east side of the lots. As far as perk test, again, each one was witnessed by the BOH and drought conditions do not determine the outcome.

R. Saleeba said the purpose of a perk test is to put a certain amount of water in the hole and you time the percolation so if it didn't do well in the spring and it did do well in the summer, after 3-4 months without rain, I don't understand...

P. Carlson said he understands the areas he is referring to but those areas were additional areas done/measured in and around this particular area that met the requirements. But ultimately, the BOH allows us to do that based on Title V. Mr. Carlson said he will meet with Mr. Saleeba to discuss his concerns regarding his well.

(Mr. Saleeba and Mr. Carlson discussed the plans/drainage/well).

L. Dunn asked Mr. Carlson of his intent with the 100 year tree.

P. Carlson said he will have to take a further look into the layout of the street to see what can be done.

L. Dunn asked about street trees and underground utilities.

P. Carlson said there will be underground utilities (water on east, gas and electric on west), sidewalk is on the east side of the street, the street trees will be located on the back end of the walkways on the east side and on the west side they are located just off the roadway. We have to be cognizant of where the utilities are, generally just inside the property lines, and the trees are on every other side every 80' on alternating sides.

N. Abelson asked for any additional questions or discussion from the audience or board.

There were none.

D. Sullivan made motion to close public hearing, M. Bourque seconded and it was unanimously approved.

VOTE: 6-0

M. Bourque requested the cul-de-sacs be paved since it is the request from the Fire Chief and DPW.

The island designs were discussed and for maintenance purposes and safety apparatus concerns, it was agreed on a paved cul-de-sac.

J. Aubin suggested the following conditions:

- 1) Certification that the lots are developed in accordance with the approved plan
- 2) Final conservation commission approval
- 3) Final BOH approval for the proposed individual septic systems for the proposed lots
- 4) Final resolution of the DiPrete Engineering comments as expressed in their 9/1/2016 letter
- 5) Submission of final plan set
- 6) Submission of HOA documentations
- 7) Cul-de-sac is to be fully paved
- 8) Mr. Carlson to meet with Mr. Saleeba in regard to his concerns with his well and tree.

D. Sullivan made a motion to approved Brady Estates with the following conditions:

- 1) Certification that the lots are developed in accordance with the approved plan
- 2) Final conservation commission approval
- 3) Final BOH approval for the proposed individual septic systems for the proposed lots
- 4) Final resolution of the DiPrete Engineering comments as expressed in their 9/1/2016 letter
- 5) Submission of final plan set
- 6) Submission of HOA documentations
- 7) Cul-de-sac is to be fully paved

8) Mr. Carlson is to meet with Mr. Saleeba in regard to his concerns with his well and tree.

M. Bourque seconded, R. Bennett and S. Foulkes approved L. Dunn abstained.

VOTE: Yes 5
 No 0
 Abstention 1

Discussion: Surety for Definitive Subdivision Brady Estates (Off Lake Street)

AP 16, lots 3 & 38, located in an R2 Zoning District.

J. Aubin advised the construction cost estimate was received. The applicant requests to set the construction cost estimate which has been reviewed and confirmed by DiPrete Engineering. It accurately reflects the cost of the proposed public improvements and also authorizes the preparation of the covenant over the subdivision to secure the public improvements.

D. Sullivan made motion, M. Bourque seconded, and it was unanimously approved.

VOTE: 6-0

Adjournment

D. Sullivan made a motion to adjourn the meeting, R. Bennett seconded and it was unanimously approved.

The meeting was adjourned at 8.54 p.m.

Respectfully Submitted by,

Kristen L'Heureux