

SEEKONK PLANNING BOARD
Regular Meeting
BOS Meeting Room
January 10, 2017

Present: D. Sullivan, M. Bourque, R. Bennett, S. Foulkes, L. Dunn, J. Roach

Acting Chairperson, David Sullivan opened the Planning Board meeting at 7:05 p.m.

Continued Discussion from the December 13, 2016 PB Meeting: ANR Application for 400 North Wheaton Avenue

AP 5, lots 83 & 165 located in the R-4 Zoning District

J. Aubin received an email from town counsel requesting a postponement for two weeks to allow more time to review the documentation. Mr. Aubin advised the applicant engineer, Jeff Tallman from Sitec, Inc. of the postponement. At this time, he recommends a continuance until January 24, 2017.

J. Roach made motion to continue the ANR application until the special PB meeting on January 24, 2017, M. Bourque seconded and it was unanimously accepted.

VOTE: Approved 6-0

Discussion: Site Plan Application for Commerce Way (Former Tweeter Building)

AP 7, lot 23 located in the Highway Business Zoning District and in the Economic Overlay District.

Bill Epp from JACA architects summarized the Site Plan Application for South Coast Medical. The existing building which is approximately 4,800 sq. ft., will be an urgent health care facility. The facility will be used for light medical care, similar to, but larger than a Minute Clinic. The interior will be renovated with 7 exam rooms and 1 radiology room. The exterior walls will be sealed and the parking lot will be repaved. The existing septic system will need to be reviewed by the BOH.

J. Aubin advised that two concerns were raised at the TRC meeting: 1) confirmation and approval from the BOH regarding the adequacy of the wastewater treatment system; and 2) proper and adequate signage/numbering on the building and in the plaza for 911 purposes.

L. Dunn said she is concerned with the Title V capacity.

Bill Epp said they will be reviewing the capacity.

D. Sullivan asked if they have notified the BOH.

Bill Epp answered yes.

S. Foulkes asked if there was adequate parking.

Bill Epp said the parking was allotted to them with the existing building.

J. Roach asked how many buildings South Coast Hospital Group either owns or have converted in the area.

Bill Epp said in Newport, Wareham (Toby Hospital), New Bedford (St. Luke's Hospital), Fall River and Dartmouth.

S. Foulkes asked about the hours of operation.

Bill Epp said typically they will be open 8 hours per day and most likely on Saturdays. It is not a 24 hour operation.

L. Dunn requested that the existing landscape should be revisited since there are no trees on the property.

J. Aubin said he is concerned since it an existing parking lot within the plaza and changing the layout may impact travel lanes, as well as the required number of parking spaces. The only area that offers the possibility of landscaping is in front of the building along Commerce Way.

(Further discussion took place among the board regarding landscaping opportunities).

D. Sullivan requested the applicant review the opportunity to plant trees along the right-of-way.

Bill Epp advised he will present that option to South Coast Medical. He asked if the suggestion was strictly on the right-of-way.

R. Bennett said in the aerial view photos of the property, it appears that the only area without trees is in front of this building in the right-of-way.

Bill Epp asked who would be responsible to maintaining the trees.

J. Aubin advised it would depend on where the trees fall on the property.

J. Roach asked for the project's timeline for construction.

Bill Epp advised majority of the construction is to the interior and they would like to start as soon as possible. The exterior will be dependent on the weather.

J. Roach made a motion to approve the Site Plan Application for Commerce Way with the following conditions: 1) confirmation by BOH for the septic system/Title V capacity review; 2) the 911 address of the building should be prominently displayed on both the building and additional signage for the proposed use, such as the pylon sign for the plaza; 3) address the landscaping concerns; L. Dunn seconded and it was unanimously approved.

VOTE: Approved 6-0

Discussion: Partial Covenant Release for Winterfell Estates (off Warren Avenue)

AP 1, lot 24 located in the R-3 Zoning District

J. Aubin advised there is currently a covenant being held over the entire subdivision. The applicant is requesting that covenant be removed and substitute it to have a covenant on lot 11 which will provide surety for the remaining work to be done.

S. Foulkes said she has concerns regarding covenants vs. bonds.

Attorney Eric Brainsky was present to request the covenant be released on behalf of the developer/applicant. He explained several other Planning Boards in local communities do not like bonds and prefer other forms of surety. Security has to be provided under state law and surety is to be in a sufficient amount to cover the cost of the public improvements.

J. Aubin read the first sentence in the first paragraph of Section 6.9 from the Seekonk Rules and Regulations, Election of Performance Guarantee, "As between a bond or other security and a covenant, the developer shall have the right to elect which performance guarantee type to use and the right to change from one type to the other from time to time, but the Planning Board shall have the right to specify the time of performance."

Attorney Brainsky requested lot 11 be subject to the covenant. The lots are being sold between \$160,000 - \$175,000.

R. Bennett made a motion to release the existing covenant and substitute it with a covenant on lot 11. The remaining balance on the construction cost estimate is \$98,474; M. Bourque seconded and it was unanimously approved.

VOTE: 6-0

Discussion: Partial Covenant Release for Brady Estates (off Lake Street)

AP 16, lots 3 & 38 located in the R-2 Zoning District

J. Aubin explained the request is to release the covenant and substitute it with a tri-party agreement. Ryan Duvally submitted an acceptable construction cost estimate in the amount of \$358,026. Both DPW and GPI have agreed to this estimate.

S. Foulkes asked who is involved in the tri-party agreement.

J. Aubin said the agreement is between the Town of Seekonk, Mr. Duvally's development company, and Bristol County Savings Bank. The covenant is being held over lots 1-11 which will be substituted with the tri-party agreement.

L. Dunn asked Mr. Duvally for an update regarding the tree an abutter was concerned about on the property when the subdivision was proposed.

Ryan DuVally said as of now it is staying and they are trying to make the best effort to keep it. The only question remains is if the roundings will affect the roots of the tree.

R. Bennett made a motion to release the covenant over the subdivision and replace it with the tri-party agreement for Brady Estates; M. Bourque seconded and it was unanimously approved.

VOTE: 6-0

Discussion: Tri-Party Agreement Stone Ridge Subdivision (off Walker Street)
AP 24, lot 625 located in the R-3 Zoning District

J. Aubin explained this development is subject to a tri-party agreement. The applicant is requesting a reduction in the amount of \$182,093. The construction cost estimate was reviewed by DPW and GPI.

S. Foulkes asked who the bank was in the tri-party agreement.

J. Aubin said Bristol County Savings Bank.

Steve Najas the developer for the subdivision was present to request the reduction.

J. Roach asked if there is any documentation available documenting the amendment.

J. Aubin explained that no disbursements can be made until the PB takes action. The bank requires the documentation from the PB first.

Steve Najas updated board regarding modifications being made to the sidewalk due to having to reroute the water drain. Paul Carlson will present a modification to the PB for their approval once a plan is in place. If there are any changes, the PB will need to approve.

R. Bennett made a motion to approve to reduction of surety for the tri-party agreement in the amount of \$182,093 for Stone Ridge Subdivision; M. Bourque seconded, and it was unanimously approved.

VOTE: 6-0

Continued Discussion: Update Logan Court (off Onley Street)

J. Aubin received an email from town counsel requesting this discussion be postponed two weeks to allow more time to review the documentation. At this time, he recommends a continuance until January 24, 2017.

S. Foulkes made motion to continue the discussion of Logan Court until the January 24, 2017 PB meeting; L. Dunn seconded and it was unanimously accepted.

VOTE 6-0

Discussion: Zoning By-law Amendments and Economic Incentive Initiative Program

J. Aubin requested direction from the PB to refer the proposed amendments to the BOS for the February 27, 2017 Special Town Meeting.

J. Roach made a motion to forward the proposed amendments to the BOS for the February 27, 2017 Special Town Meeting; L. Dunn, second and it was unanimously approved.

VOTE: 6-0

Discussion: Proposed Update to the Seekonk Subdivision Rules and Regulations

D. Sullivan advised the PB that the subcommittee (S. Foulkes, L. Dunn, and D. Sullivan) met on several occasions to discuss the Seekonk Subdivision Rules and Regulations. The proposed amendments will be presented to the board on January 24, 2017 during the work session.

J. Aubin will prepare a memo summarizing the changes for the work session. He will also request town counsel review their concerns regarding covenants, surety, and bonds.

Monthly Department Update

J. Aubin summarized Planning Department's monthly report. Update included:

- Subdivisions: Given the onset of winter conditions, paving will no longer be accepted.
- Site Plans updates were provided.
- The EDC was approved a \$12,500 grant through the Administrator's office for an economic development guide.

Correspondence

J. Aubin provided the correspondence received by the Planning Department.

Discussion: SRPEDD & CPC Update

J. Roach advised there is no update available at this time. The next meeting is in a couple weeks and he will provide update next month.

D. Sullivan advised there was a CPC meeting last night and an update in regard to the Town Hall trail was given.

Adjournment

L. Dunn made a motion to adjourn the meeting; J. Roach seconded, and it was unanimously approved.

The meeting was adjourned at 8:10 p.m.

Respectfully Submitted by,

Kristen L'Heureux