

Agenda

Town of Seekonk, MA Planning Board

12/09/14

7:00 PM

Seekonk Town Hall
Planning Board Meeting Room

Type of meeting:

Planning Board Regular Meeting, Public Hearing

Agenda topics – More information on each item can be found on our website – www.seekonk-ma.gov under Departments>Planning>Agenda Items

7:00 PM

Surety Release: Jacob Hill Estates

Palmer River
Development Co., LLC

Discussion: Master Plan Priority Action Items-2015

Planning Board

Discussion: Sign Bylaw Amendment

Planning Board

Discussion: Solar Overlay District Amendment

Planning Board

Correspondence:

Approval of Minutes:

Adjournment



Planning Board
100 PECK STREET
SEEKONK, MASSACHUSETTS 02771
1-508-336-2961

MEMORANDUM

To: The Planning Board

From: John P. Hansen Jr., AICP, Town Planner

Date: December 2, 2014

Re: Jacob Hill Estates – Partial Surety Release

The applicant for Jacob Hill Estates has requested a partial surety release for said subdivision. The construction cost estimate has been reduced to \$67,686.40 based on the work that has been completed by the applicant and inspected and approved by the Board's inspector. The remaining work includes top-course of asphalt application, street tree installation, and final site prep work.

The current surety is cash in the amount of \$152,080. This office would recommend releasing \$84,393.60 on Jacob Hill Estates.

1-Dec-14

Jabos Hill Estates Subdivision Construction Cost Estimate Worksheet (for use with Form J - Guaranty Price Estimate)

ITEM DESCRIPTION-ROADWAY	Quantity	Units	Unit Price	Total Cost	GPI Note	GPI Estimate	% Remaining	\$ Remaining
Sitework								
1 Mobilization of Equipment	1 ea	\$1,000	\$1,000			\$1,000.00	0.00%	\$0.00
2 Tire Wash / Construction Entrance	1 bgt	\$2,000.00	\$2,000			\$2,000.00	0.00%	\$0.00
2 Bond for Tree Work	1 bgt	\$0	\$0			\$0.00	0.00%	\$0.00
3 Linedn Tree Pruning & Care	1 bgt	\$12,500	\$12,500			\$12,500.00	0.00%	\$0.00
4 BM Munroe Tree Service	1 ea	\$7,500	\$7,500			\$7,500.00	0.00%	\$0.00
5 Clearing, Grubbing & Stumping	3.5 acres	\$1,500	\$5,250			\$5,250.00	0.00%	\$0.00
6 Erosion Control / Haybales	3000 lf	\$6.00	\$18,000	Quantity based on Erosion and Sediment Control Plan		\$18,000.00	0.00%	\$0.00
7 Silt Fence	3000 lf	\$2.60	\$7,800	Quantity based on Erosion and Sediment Control Plan - Sheet 8 of 14		\$7,800.00	0.00%	\$0.00
8 Rough Grading	20000 sf	\$0.85	\$17,000			\$17,000.00	0.00%	\$0.00
9 Water Line Excavation	875 lf	\$20	\$17,500	Plan Quantity. Unit Price based on MassDOT Unit Prices and :		\$17,500.00	0.00%	\$0.00
10 Water Tap Fee	1 ea	\$45,000	\$45,000			\$45,000.00	0.00%	\$0.00
11 Hydrants in Place	2 ea	\$6,500	\$13,000	OK, Unit Price Includes Gate Valves, Boxes, and Fittings		\$13,000.00	0.00%	\$0.00
12 Water Main In-Place Labor & Materials	875 lf	\$50	\$43,750	Plan Quantity. Price includes Gates, Fittings		\$43,750.00	0.00%	\$0.00
13 Trench lines for Drainage	870 lf	\$22	\$19,140	Plan Quantity. Unit Price based on MassDOT Prices and a		\$19,140.00	0.00%	\$0.00
14 Installation of Drainage Lines	1 ea	\$22,000	\$22,000	870 LF at \$25/lf		\$22,000.00	0.00%	\$0.00
15 Install Drainage Structures	1 ea	\$36,000	\$36,000	12 Structures at \$3,000/ea		\$36,000.00	0.00%	\$0.00
16 Drainage & Structures at entrance way	1 ea	\$15,000	\$15,000	Recharge Structures		\$15,000.00	0.00%	\$0.00
17 Cuts & Fills to Subgrade for Road	2000 cy	\$8.00	\$16,000			\$16,000.00	0.00%	\$0.00
18 National Grid Fee's	1 ea	\$25,000	\$25,000			\$25,000.00	0.00%	\$0.00
19 Trench Lines for Electrical	850 lf	\$6.00	\$5,100			\$5,100.00	80.00%	\$4,080.00
20 Water Line Laterals to Houses	12 ea	\$1,050	\$12,600			\$12,600.00	0.00%	\$0.00
21 Excavation for Ponds	1 ea	\$25,000	\$25,000	For Infiltr. Basin and 2 Bio Retention Areas		\$25,000.00	0.00%	\$0.00
22 Construction of Drainage Retention Areas	1 ea	\$30,000	\$30,000	For Infiltr. Basin and 2 Bio Retention A		\$30,000.00	0.00%	\$0.00
23 Roadway grading Base	950 cy	\$30.00	\$28,500	Plan Quantity (including sidewalk) and MassDOT Unit P		\$28,500.00	0.00%	\$0.00
24								\$0.00
25 Electrical Conduit and Sub Contract Work	1 bgt	\$21,000	\$21,000			\$21,000.00	80.00%	\$16,800.00
26 Gas Line Installed	1 bgt	\$20,000	\$20,000			\$20,000.00	0.00%	\$0.00
27 Compaction of Road & Base	2900 sy	\$4.00	\$11,600			\$11,600.00	0.00%	\$0.00
28 Concrete Sidewalk and Integral Curbing	1 bgt	\$32,000	\$32,000	MassDOT Unit Prices. Plans call for aspl		\$32,000.00	100.00%	\$32,000.00

29 Stone Lined Drainage Swale 300 lf \$40.00 \$12,000 Plan Quantity	\$12,000.00	0.00%	\$0.00
30 Binder Coat Asphalt 1 ea \$50,000 \$50,000 \$150/ton	\$50,000.00	0.00%	\$0.00
31 Asphalt Sidewalks 1 ea \$5,500 \$5,500 \$175/ton	\$5,500.00	100.00%	\$5,500.00
32 Radius at Entrance - Granite 100 lf \$55.00 \$5,500	\$5,500.00	100.00%	\$5,500.00
33 Loam & Seed 550 cy \$16.00 \$8,800	\$8,800.00	50.00%	\$4,400.00
34 Asphalt Cape Cod Berm 1 ea \$9,000 \$9,000	\$9,000.00	0.00%	\$0.00
35 Landscaping, Trees & Common Areas 1 bgt \$12,500 \$12,500	\$12,500.00	100.00%	\$12,500.00
36 Finish Coat of Asphalt 1 ea \$36,500 \$36,500 \$150/ton	\$36,500.00	100.00%	\$36,500.00
37 Engineering Layout 1 ea \$5,000 \$5,000	\$5,000.00	30.00%	\$1,500.00
38 Install Concrete Bound 40 ea \$200 \$8,000 10 Bounds (ROW) and 30 Iron Pipes (Easements)	\$8,000.00	100.00%	\$8,000.00
Grand Total	\$662,040.00		\$52,880.00

Contingency @ 10%	10%		\$5,288.00
Construction Management @ 10%	10%		\$5,288.00
Maintenance 2%	2%		\$1,057.60
Sub Total			\$3,172.80
Inflation 6%	6%		\$67,686.40
GRAND TOTAL - REVISED SURETY AMOUNT AS OF 12/2/14			\$67,686.40

TOWN OF SEEKONK
Planning Board

MEMORANDUM

To: The Planning Board

From: John P. Hansen, Jr., AICP, Town Planner

Date: November 21, 2014

Re: Annual Master Plan Implementation Audit

Attached you will find the Annual Master Plan Implementation Audit, which outlines the status of each action item within the Master Plan. You will find that several items have been accomplished, namely the update to the Zoning Bylaws. At this time, it would be appropriate to prioritize the action items that you would like to see implemented this year, which we can then discuss at December 9th meeting and come back at the January 13th meeting with a final list of action items for 2015. My recommendations are highlighted.

Land Use Action Plan

<i>Action</i>	<i>Responsible Party</i>	<i>Status</i>
<i>Objective LU-1: Encourage sustainable growth patterns throughout the community.</i>		
Educate residents, business owners, and officials on the costs and benefits of different types of development patterns.	Board of Selectmen	No action
Provide a comprehensive re-write to the Zoning By-law that will help to achieve the goals associated with the different areas of the FLUM.	Planning Board/Building Inspector/Zoning Board of Appeals	Completed
Inventory zoning barriers to mixed use development, and other forms of compact or clustered development.	Planning Board	No action
Inventory vacant or underutilized properties that provide opportunities for infill and redevelopment.	Board of Selectmen/EAC	Completed
Inventory zoning “non-conformities” and assess whether zoning should be changed or remain intact relative to existing uses.	Planning Board	Done – will be on spring TM
Develop a library of visualizations (e.g., pictures of other communities, photo-simulations, etc.) that can be used to help shape regulations for different areas within the Town.	Planning Board	No action
Identify sites in residential areas that could serve as community gardens.	Planning Board	L. Dunn to take lead
Incorporate the action items within the Housing Production Plan and the Open Space and Recreation Plan as appropriate.	Planning Board/ Conservation Commission	Incentive Zoning Bylaw approved at Fall '12 TM warrant; ConCom still working on OSRP with SRPEDD
<i>Objective LU-2: Maintain Seekonk’s environmental resources and community character in Rural Residential areas.</i>		
Establish lines of communication between the Town and key owners of developable land. Ensure the Town is aware of when ownership may change hands or when development proposals may be submitted.	EAC	No action
Revisit the Town’s Conservation Subdivision Bylaw to strengthen the quality of design, the protection of natural resources, the efficiency of infrastructure, and the continuity of open space from one subdivision to another.	Planning Board	Awaiting ConCom comments
Focus land preservation efforts and funding to rural areas to the extent that opportunities exist.	CPC/ Conservation Commission	Ongoing

Explore the use of Transfer of Development Rights (TDR) as a land use tool for preserving open space and agriculture in these areas.	Planning Board	No action
Continue to explore the designation of Prospect Street as a "Scenic Corridor".	Planning Board	No action
Explore the possibility of connecting local agricultural operations to farmers markets within Village Areas	Planning Board/ EAC	No action
Develop zoning performance standards that may allow for a more diverse home business inventory as an incentive for large land owners not to subdivide and develop.	Planning Board	No action
Clarify regulations that would expand the ability for homeowners to sell vegetables at roadside stands.	Planning Board	No action
<i>Objective LU-3: Maintain a high quality of life in areas designated General Residential by providing opportunities for improving residential homes and neighborhoods.</i>		
Continue to ensure a high level of essential services for neighborhoods in the General Residential areas (e.g., right of way maintenance, etc.).	All service departments	Ongoing
Explore the potential implementation of an Accessory Dwelling Unit by-law that would allow for appropriate levels of accessory housing.	Planning Board	No action
Assess the effectiveness of the existing Home Occupation by-law provisions to see if adjustments need to be made (more or less restrictive).	Planning Board	No action
Provide educational materials related to residential landscaping to encourage low-maintenance attractive alternatives to lawns.	Planning Board/ Conservation Commission	No action
<i>Objective LU-4: Maintain vibrant neighborhoods in Seekonk's Village Residential areas.</i>		
Develop "way-finding" analyses that illustrate the most effective pedestrian/bicycle routes between Village Residential and Village areas.	Planning Board/ DPW	No action
Concentrate resources for right of way improvements on those areas identified in the previous action item.	Board of Selectmen/DPW	No action
Ensure an aggressive program for street tree maintenance and replacement to contribute to the safety and character of busy Village Residential streets.	DPW	Ongoing
Create opportunities for a diverse housing stock through the use of Zoning By-law amendments or strategic "friendly 40B" applications.	Planning Board/ Zoning Board of Appeals	Ongoing
Identify streets that may have issues with automobile speeds and install traffic calming devices.	DPW/Police Department	Ongoing
Ensure high quality landscaping for non-residential uses through the use of landscape design standards.	Planning Board	No action

Objective LU-5: Revitalize Seekonk's designated Village areas.		
Develop detailed physical Master Plans for the two Village areas that illustrate different future development scenarios and streetscape concepts. Use these Master Plans to inform regulatory amendments.	Planning Board	Luthers Corners Village Zoning Bylaw adopted along with Parking/Circulation Study
Consider the rezoning of the Village areas into larger more cohesive districts (consistent with the previously mentioned Master Plans), which include detailed design and circulation standards.	Planning Board	No action
Investigate financial incentive opportunities that could be offered to developers for infill and redevelopment.	Planning Board/ EAC	CPA funding available
Apply elements consistent with the "Complete Streets" approach in Village areas to ensure the Town captures as many modes of circulation as possible. Apply standards developed as part of the local guidance document called for in the Transportation Element (T-2.b)	Planning Board/ DPW/Fire Department	No action
Consider the provision of centralized sewer service for these areas as a tool for continued growth and resource protection.	Planning Board/ EAC/ Board of Selectmen	BOS not in favor
Objective LU-6: Continue to improve conditions in Seekonk's Mixed Use Corridor areas.		
Implement the strategies developed as part of the Route 44 Corridor Study (SRPEDD, 2011).	Planning Board or as identified	Ongoing
Commission a detailed development feasibility study for the southern Mixed Use Corridor area that includes an examination of market analyses, infrastructure cost/benefit analysis, and environmental constraints.	EAC/Planning Board	No action
Apply more prescriptive standards for traffic access management for properties along both Mixed Use Corridor areas.	Planning Board/ DPW	No action
Consider modest design standards for corridor areas to improve the appearance of parking areas, signage, building materials, landscaping, and the street edge.	Planning Board	No action
Objective LU-7: Allow the Highway Business area to continue as a premier regional commerce center.		
Ensure Zoning By-law standards for use, dimension and other important site development elements are flexible enough to allow for the Highway Business area to evolve over time in response to changing markets. Research emerging trends in the transformation of so-called "big box" retail centers to inform any regulatory amendments.	Planning Board	No action
Develop "big-box" and/or "formula business" design guidelines to ensure the high quality design of façades,	Planning Board	No action

rooflines, signage, parking areas, and streetscapes.		
Consider the provision of centralized sewer service for this area as a tool for continued growth and resource protection.	Planning Board/ EAC/ Board of Selectmen	BOS not in favor
Require new tenants on older sites to provide detailed mapping of stormwater and wastewater infrastructure to ensure a continued update of information needed to maintain market viability and high levels of environmental protection.	Planning Board/ Conservation Commission	Ongoing
Consider development bonuses for this area that could be used as part of a TDR program.	Planning Board	No action
Include development standards for circulation that will allow for easier travel for pedestrians and bicyclists between sites. These standards could include the incorporation of dedicated pedestrian and bicycle ways along Route 6 frontage.	Planning Board	No action
Provide incentives for the inclusion of green rooftops and roof mounted solar arrays on large flat rooftops.	Planning Board/Energy Committee	No action
Provide incentives for the inclusion of ground-mounted solar arrays into the design of parking areas.	Planning Board/Energy Committee	No action
Incorporate considerations for heat island mitigation into the landscaping standards specific to this area.	Planning Board	No action
Implement the action items related to the Route 6 commercial areas that are listed in the Economic Development element.	Various	Ongoing
<i>Objective LU-8: Maintain the viability of Seekonk's Industrial areas.</i>		
Develop a clear identity for Seekonk's Industrial areas as identified on the FLUM by not allowing uses that could lead to conflict or nuisance complaints.	Planning Board/ EAC	Ongoing
Consider the provision of centralized sewer service for this area as a tool for continued growth and resource protection.	Planning Board/ EAC/ Board of Selectmen	BOS not in favor
Require new tenants on older sites to provide detailed mapping of stormwater and wastewater infrastructure to ensure a continued update of information needed to maintain market viability and high levels of environmental protection.	Planning Board/ Conservation Commission	Ongoing
Protect industrial uses by prohibiting other uses that might create conflicts with industrial operations or otherwise erode the character of the industrial areas.	Planning Board/ Zoning Board of Appeals	Ongoing
Implement the action items related to Industrial areas that are listed in the Economic Development element.	Various	Ongoing

Economic Development Action Plan

Action	Responsible Party	Status
Objective ED-1: Create systems and tools for a structured economic development approach.		
Create a municipal Economic Advisory Committee (EAC) to sustain economic development efforts from the Town and serve as a liaison to the Chamber of Commerce.	Board of Selectmen	Committee established
Create outreach materials for local businesses describing the costs and benefits of having a local Chamber of Commerce.	EAC	No action
Invite representatives from neighboring Chambers of Commerce to talk about their accomplishments to the Seekonk business community.	EAC	No action
Have EAC members receive training in issues of economic development through the Massachusetts Economic Development Council (MEDC).	Board of Selectmen/EAC	No action
In cooperation with the Chamber of Commerce and/or EAC, develop a marketing strategy for Seekonk that includes highlights of business-friendly approaches within the community for commercial and industrial districts.	EAC/Planning Board	On-going
Maintain an inventory of vacant or underutilized commercial and industrial parcels that can be easily accessed by prospective investors.	Planning Board/ Assessor	Working on with Assessor
Assess the feasibility of running a web-based municipal GIS that could display important economic development information.	Planning Board/ Assessor	No action
Develop a business outreach program that includes critical information in a variety of media such as web-based material, e-blast notifications, mass mailings, workshops, etc.	EAC	On-going
Ensure that clear standards for parking, setbacks, allowable uses and other essential Zoning By-law elements will be adopted to address the unique purpose of each commercial and industrial district.	Planning Board	Within ZBL's
Objective ED-2: Facilitate and require high quality design of commercial areas.		
Develop design standards within the Zoning By-law tailored to different districts that will ensure a high quality of design in commercial development.	Planning Board	No action
Incorporate adequate circulation for bicycles and pedestrians into commercial site design.	Planning Board	No action
Create or distribute existing design manuals for the Planning and Zoning Boards as educational pieces to assist them with permit application review and allow them to easily identify design flaws.	Planning Board	No action
Develop standardized approaches to impact analyses that may accompany permit submittals to ensure a predictable	Planning Board	No action

approach to items such as fiscal impact analysis, traffic impact analysis, etc.		
Objective ED-3: Support neighborhood scale business and services.		
Identify a liaison within the EAC to the South Eastern Economic Development (SEED) agency in order to better connect Seekonk's small business community with technical and financial support.	EAC/Board of Selectmen	No action
Develop a circulation study for Luther's Corners to identify strategies for increasing access to local businesses.	Planning Board/DPW	Done
Re-examine the Zoning By-law provisions that govern Baker's Corners to ensure this area can better serve residents in the "north end" of Seekonk with essential services.	Planning Board	No action
Implement the strategies developed as part of the Route 44 Corridor Study (SRPEDD, 2011).	Various	Ongoing
Continue to support home occupation business within designated zoning districts.	Planning Board/ Zoning Board of Appeals	Ongoing
Objective ED-4: Maintain the viability of the Route 6 corridor.		
Present a written economic development strategy to the Commonwealth that would help to leverage additional liquor licenses in the Route 6 area.	Board of Selectmen/EAC	Completed
Identify infrastructure improvements that could make redevelopment in the Route 6 corridor more streamlined.	Planning Board/ Conservation Commission/ DPW/Water District/Board of Health	Ongoing
Research other models of development that are compatible with "large pad" sites including, but not limited to, Mashpee Commons, South County Commons, Patriot Place, and Legacy Place.	EAC/Planning Board	Ongoing
Incorporate design standards tailored specifically to big box and strip retail to ensure that Seekonk receives the highest quality design from local, national, and international corporations.	Planning Board	No action
Objective ED-5: Maintain the viability of existing industrial lands.		
Communicate directly with property/industry owners to identify challenges to re-occupation, expansion, or redevelopment in industrial districts.	EAC	Sent letter out 7/12
Continue to assess the feasibility for other non-retail uses of industrial lands including, but not limited to, renewable energy facilities.	EAC/Energy Committee	Ongoing
Support the development of an Industrial Subcommittee within the EAC or Chamber of Commerce.	EAC/Board of Selectmen	No action
Objective ED-6: Provide infrastructure that supports economic centers.		

Continue discussions with the City of Attleboro regarding the potential to append Seekonk to Attleboro's Economic Target Area (ETA) designation.	Planning Board/ Board of Selectmen	N/A
Identify areas within the community where the use of District Improvement Financing (DIF) could be used to leverage funding for necessary infrastructure upgrades.	EAC/Planning Board	On-going
Perform feasibility/growth management studies for installing a municipal sewer system that would be targeted to economic development areas within the community.	Planning Board/ Board of Selectmen/DPW/ Conservation Commission	BOS not in favor
Continue to advocate for State-level transit/transportation improvements in designated economic development centers.	Planning Board/ DPW	Ongoing
Objective ED-7: Maintain a housing stock suitable for a diverse workforce.		
Identify a liaison to the Massachusetts Community Economic Development Assistance Corporation (CEDAC) to identify ways in which this organization can assist Seekonk with economic development and housing issues.	EAC	No action
Implement the strategies found in the Housing Element of the Master Plan.	Various	Ongoing
Objective ED-8: Support active farming as a viable source of local economic activity.		
Develop an inventory of farmland in the Town and prioritize farm viability efforts based on a structured assessment of potential development pressure, farm productivity, scenic and cultural value, and other factors.	Planning Board/ Conservation Commission	Ongoing

Sustainable Energy Action Plan

Action	Responsible Party	Status
Objective SE-1: Reduce energy used in municipal buildings and operations. Form an energy committee made up of Town staff and volunteer members to support various energy efficiency initiatives.		
Develop a public education and engagement campaign around energy efficiency and conservation. Sign up for the MassEnergyInsight program.	Energy Committee	No action
Through the support of the Energy Committee, develop a municipal energy use baseline in MassEnergyInsight. Coordinate free energy audits at municipal buildings through the energy utilities. Commit to reducing municipal energy use by 20%, and through the support of the Energy Committee, develop a Green Communities compliant energy reduction plan.	Energy Committee/DPW Board of Selectmen	No action
Coordinate a street lighting audit with the electric utility, and consider conversion to LED lights.	DPW/ Energy Committee	No action

Objective SE-2: Reduce community-wide energy use in buildings.		
Develop a community energy use inventory and community-wide energy reduction strategy.	Energy Committee	No action
Consider the implementation of a weatherization program.	Energy Committee	No action
Provide education and outreach on energy efficiency and conservation, and promote energy audits.	Energy Committee	No action
Consider implementation of a community energy efficiency competition or online rewards program in which residences are rewarded for energy savings.	Energy Committee	No action
Objective SE-3: Reduce transportation-related energy use.		
Evaluate the current street and parking design standards, and determine options for improvement to promote multi-modal corridors.	Planning Board	No action
Prioritize projects to encourage multi-modal transportation along targeted roadways.	DPW	Ongoing
Develop and provide regulatory incentives for developers that incorporate multi-modal design in their development applications.	Planning Board	No action
Inventory current bicycle and pedestrian paths and identify opportunities to upgrade them and create linkages.	Conservation Commission	Ongoing
Prioritize municipal projects that provide direct connections and improve community connectivity.	Board of Selectmen/ DPW	Ongoing
Continue to promote pedestrian activity by requiring projects to incorporate pedestrian and bicycle paths and amenities.	Planning Board	Ongoing
Work with the State to improve public transportation opportunities in Seekonk.	Board of Selectmen/ Planning Board	No action
Inventory zoning obstacles to smart growth and mixed-use development, and address them accordingly with zoning revisions.	Planning Board	No action
Provide priority parking in public lots for energy efficient vehicles and for carpooling and vanpooling.	DPW	No action
Objective SE-4: Encourage renewable energy sources.		
Continue to investigate opportunities (including appropriate locations as well as funding sources) to incorporate renewable energy on municipal buildings and lands.	Energy Committee	No action
Inventory zoning obstacles to renewable energy development, such as setback requirements, height standards, lot coverage requirements, and other standards that may impede development of renewable energy as a principal or accessory use, and develop revisions accordingly.	Planning Board	Ongoing

Develop zoning and regulatory standards for renewable energy systems of different types and scales as appropriate to the community.	Planning Board	No action
Provide education and outreach on renewable energy sources, and how home-owners and businesses can integrate these systems into their homes and businesses.	Energy Committee	No action
Provide regulatory incentives to developers that incorporate renewable energy sources in their site plans.	Planning Board	No action

Public Service and Facilities Action Plan

Action	Responsible Party	Status
Objective PSF-1: Develop and maintain funding tools toward the continued investment of public services and facilities.		
Pursue those actions within the Economic Development element of the Master Plan designed to maintain a strong and diverse tax base.	As applicable	Ongoing
Explore and encourage public/private partnerships that help to fund and maintain the viability of specific facilities similar to the Friends of the Library.	Board of Selectmen/ Planning Board	Ongoing
Consider “placed-based” tools such as Parking Improvement Districts or Business Improvement Districts (BIDs) that can help to raise money toward infrastructure and facilities improvements.	Planning Board	No action
Identify areas where individual facilities could be financed through the use of District Improvement Financing (DIF).	Planning Board/ DPW	No action
Continue to require performance guarantees and maintenance agreements for facilities created as part of subdivisions or other development proposals (e.g., stormwater treatment facilities, private roads and rights of way, photovoltaic facilities, etc.)	Planning Board/ Conservation Commission	Ongoing
Objective PSF-2: Develop and maintain meaningful information that will help to prioritize investment in municipal facilities and services.		
Continue to support the Capital Improvements Committee in their efforts to study individual facilities in a detailed manner and on a regular basis to inform the Capital Improvement Program.	CIC and various departments	Ongoing
Maintain standardized facility evaluation procedures (e.g., form evaluations and updating the Five Year Capital Plan) that can be updated by department heads or department staff on facility needs and entered into Town-wide facilities database.	CIC/Board of Selectmen	Ongoing
Develop a system of regular face-to-face communication in which all departments can report important facility and service related information to the Board of Selectmen and the Town Administrator.	Board of Selectmen/ Town Administrator	Ongoing

Develop a fiscal impact analysis tool based on the “buildout” of the community that can show the relative impacts of different zoning by-law provisions on the fiscal budget.	Planning Board	No action
Continue to develop the municipal Geographic Information System (GIS) in a manner that integrates important facility-based information into the database.	Planning Board/ Assessor/ DPW	Ongoing
Develop a standard process for integrating the long-term costs of new facilities into the decision making process including, but not limited to, staffing of new facilities, accessory equipment needs, regular maintenance, and utilities.	Planning Board	No action
Continue to closely track school enrollment to ensure an efficient use of school building facilities.	School Department/CIC	Ongoing
Continue to update both the Housing Production Plan and the Open Space and Recreation Plan as necessary to ensure that baseline data and strategies represent current conditions.	Planning Board/ Conservation Commission	Ongoing
Objective PSF-3: Improve inter-departmental communication, and provide a transparent decision-making process under an efficient government structure that meets community needs.		
Survey the community to determine whether Open Town Meeting style of government is adequate or if the Town should investigate other forms of government including Representative Town Meeting or Town Council.	Planning Board	Done
Conduct semi-annual audits of all Master Plan action items to chart progress and identify “next steps”.	Planning Board	Ongoing
Set up more regular, formal meetings to share information between the Board of Selectmen and other boards and committees.	Board of Selectmen	No action
Continue the example provided by the Capital Improvements Committee by stating Committees’ decision-making process in formal documents to enhance transparency.	All Committees	Ongoing
Explore the use of more “service-oriented” tools (e.g. “E-Government”) that help with public information sharing, permitting, fee collection and other essential government functions.	Planning Board/ Board of Selectmen	Ongoing
Objective PSF-4: Coordinate the management of water-based infrastructure in an integrated fashion to ensure a sustainable approach.		
Develop an Integrated Water Resource Plan for the Town of Seekonk.	Planning Board/ Conservation Commission/ Water District	No action

Develop an audit of local regulations that looks specifically at the relationship between development standards and impacts to various water resources in the community.	Planning Board/ Conservation Commission/ DPW/Water District/Board of Health	Ongoing
Examine the effectiveness of applying various scales of wastewater treatment to different areas of the Town (e.g., individual septic systems, neighborhood scale systems, centralized facilities, etc.).	Planning Board/ Conservation Commission/ DPW/Water District/Board of Health	No action
Continue to analyze the capacity of the existing municipal water supply against community buildout analyses.	Planning Board/ Water District	Ongoing
Ensure the requirements of the Non-Point Source Discharge Elimination System (NPDES) permit issued by the Commonwealth of Massachusetts are met.	Planning Board/ DPW	Ongoing
<i>Objective PSF-5: Continue to assess and emphasize the need for high quality social services in the community.</i>		
Include Human Services and the Council on Aging in regular facility updates with the Board of Selectman and the Town Administrator.	Board of Selectmen/Town Administrator	Ongoing
Continue to explore ways of expanding transportation services for seniors in order to increase their access to healthy food, recreational opportunities, and social interaction.	Council on Aging	Ongoing
Coordinate the efforts and programs of the (future) Senior Center with the school system to identify opportunities to merge programs for children and seniors.	Council on Aging/School Department	Ongoing
Ensure that families and individuals in need of intervention due to hardship have access to adequate health care, emergency food assistance, and counseling.	Human Services	Ongoing

Transportation Action Plan

<i>Objective T-1: Minimize frequency and severity of accidents at high-incident locations.</i>		
Coordinate with the State on projects that involve high accident locations and lobby for specific improvements to address the accident patterns.	Planning Board/ DPW	Ongoing
Identify high accident locations that are not part of ongoing projects and initiate studies to identify potential safety improvements.	Police Department/ DPW	Ongoing

Continue to utilize and pursue the services of SRPEDD to conduct safety studies. Implement corresponding actions in response to the findings. For example, increase enforcement at high-accident locations that exhibit high red light running.	Planning Board/Police Department/ DPW	Ongoing
Identify geometric and traffic control improvements to improve safety at high-accident locations and lobby for funding of these improvements.	Planning Board/ DPW	Ongoing
Objective T-2: Optimize the ability of existing roadways to service the transportation needs of the community.		
Pursue intersection improvements at Route 44/Route 114A, including dedicated left-turn lanes.	DPW	No action
Review “complete streets” policies from other towns in MA and throughout the U.S. and develop a guidance document for use on local projects to allow multi-modal uses on roadways.	Planning Board/ DPW	Ongoing
Incorporate standards into local regulations for providing “off-street” connections within commercial centers to minimize unnecessary egress onto arterial roads.	Planning Board	No action
Incorporate standards into local regulations that require site design techniques for better bicycle and pedestrian circulation.	Planning Board	No action
Strategically place curb cuts to minimize conflict points.	Planning Board/ DPW	Ongoing
Sustain rural character of roadways by implementing traffic calming strategies in appropriate locations.	Planning Board/ DPW	Ongoing
Use traffic calming techniques to discourage cut-through traffic on neighborhood streets.	Planning Board/ DPW/Police Department	Ongoing
Objective T-3: Minimize traffic demand generated by new development.		
Require traffic impact studies for new developments. For large scale developments, implement peer reviews of traffic studies to be paid by developer to ensure accuracy and completeness of studies.	Planning Board	Ongoing
Expand acceptable traffic management and mitigation measures to include TDM and/or non-infrastructure items and provide credits for these mechanisms through zoning and subdivision provisions.	Planning Board	Ongoing
Objective T-4: Improve pedestrian and bicycle amenities Town-wide.		
Develop and implement a long-term sidewalk enhancement program.	DPW	No action
Encourage walking and biking through the school and recreation departments and through employer TDM programs.	School Department/ Recreation/ Planning Board/ School	Ongoing

Develop walking and cycling paths that connect activity areas and link to other alternative transportation networks.	Department/ Recreation/ Conservation Commission	Ongoing
Maintain prompt snow removal of pedestrian and bicycle amenities.	DPW	Ongoing
Develop subdivision regulations to provide new neighborhood trails and improve access to existing trails.	Planning Board	No action
Identify key locations for new/additional bike rack and pedestrian bench installations.	Planning Board/ School Department/ Library/ DPW	Ongoing
Identify roadways with sufficient width to stripe bike lanes; analyze these locations, and implement bike lanes where appropriate.	Planning Board/ DPW	Ongoing
Leverage the Safe Routes to School program to promote healthy travel to and from all schools.	Planning Board/School Department	No action
Establish standard criteria for marking crosswalks, potentially referencing the Manual on Uniform Traffic Control Devices.	Planning Board/ DPW	No action
Objective T-5: Increase use of the public transportation system.		
Provide shelters, benches and bike racks at bus stops.	Planning Board	No action
Increase the number of park and ride lots to enhance connectivity to public transportation.	Planning Board	No action
Conduct a Town survey of public transportation needs and issues.	Planning Board/ EAC	No action
Investigate various forms of public transportation to service the Route 6 commercial area and seek funding to implement the best option(s).	Planning Board/ DPW/Fire Department	No action
Coordinate with RIPTA, GATRA, and SRPEDD to improve public transportation across the state border and facilitate connections between GATRA and RIPTA services.	Planning Board/ DPW	No action
Objective T-6: Aggressively pursue funding for transportation projects.		
Apply for grants through SRPEDD.	Planning Board/ DPW	Ongoing
Enhance the ability to access funds through the TIP (or other federal and state grants for transportation improvements) through investment in data collection, improvement studies, or preliminary design.	EAC/Planning Board/ DPW	No action
Seek grants to promote non-motorized forms of transportation.	Planning Board/ DPW	No action
Objective T-7: Integrate transportation infrastructure into a "place-making" approach.		
Identify potential gateway locations and develop gateway design concepts.	Planning Board/ DPW	No action

Initiate community/commercial participation to maintain gateways (e.g., Adopt-a-Spot).	Planning Board/ EAC	No action
Provide welcome signs at gateways. Consider alternative and creative materials for the signs, such as plantings.	Planning Board/ EAC	No action
Improve landscape design and streetscapes at gateway locations while maintaining clear sight lines.	Planning Board/ EAC	No action
Initiate a photo inventory of potential candidates for scenic roadways using Town GIS.	Planning Board/ Conservation Commission	No action
Establish standards and/or incentives for appropriate levels of streetscape improvements for new development and redevelopment in different zoning districts.	Planning Board	No action
Revisit the Scenic Roads Bylaw and reintroduce to Town Meeting.	Planning Board	No action

1.3 Definitions

ILLUMINATION SOURCE: The light-emitting element and any elements designed or employed for the purpose of reflecting and directing emitted light.

SIGN: Any device or image visible from a public place whose essential purpose and design is to convey either commercial or non-commercial speech by means of graphic presentation of alphabetic, numeric or pictorial symbols or representations including vehicles or other objects that have such displays and that are stationary on a property and available for view from one or more adjacent ways or areas where the public gathers or is invited, for longer than XXXX on a regular basis.

8.9 Signs

8.9.1 Purpose

This section of the Zoning By-Law is adopted for the regulation of signs and advertising devices within the town in order to:

- 8.9.1.1 Protect and enhance the visual environment of Seekonk, by creating a balanced sign texture, diminishing any visual confusion, enhancing a particular building or total streetscape, and stimulating responsible business activity.
- 8.9.1.2 Protect and enhance the safety, convenience, and welfare of all residents, businesses and consumers alike, and to prevent and minimize damage to the environment.
- 8.9.1.3 Provide sign regulations that meet the needs of the Town's residents and business owners in different zoning districts.

8.9.2 Applicability

Any sign or advertising device hereafter erected or maintained shall conform to the provisions of this zoning by-law, and the provisions of the State Building Code and any other by-laws, or regulations of the Town.

8.9.3 Sign Definitions

Sign definitions with example images are provided as Appendix C. Sign Definitions.

8.9.4 Administration and Enforcement

- 8.9.4.1 A permit from the Building Official is required prior to the erection of all signs except those specifically exempt under Section 8.9.4.2. Application for said sign permit shall specify the proposed sign location by street and number, the name(s) and address(es) of the owner(s), the sign contractor or erector and initial display date. Applicants shall also file a site plan, except for temporary signs, showing, at a scale of at least 1" = 40', the location(s) of all proposed signs, and lot and building dimensions. No permit shall be required to refinish an existing sign or to change the lettering on a changeable letter sign, so long as they meet the further requirements of these By-Laws.

8.9.4.2 Exemptions from Permit

- a.) Signs erected or maintained as required by local, state, or federal law;
- b.) Highway directional or traffic control signs required or allowed by law;
- c.) Signs exempt under M.G.L. c. 93, Section 32;
- d.) Flags or insignia of the United Nations, United States or any political subdivision thereof, or any other nation or country, provided it shall not be used for commercial promotion, display, or as an inducement to promote, or attract attention to, a particular business or person;
- e.) One sign displaying the street number of the occupant of any premises, not to exceed one square foot in display area;
- f.) Temporary signage associated with the rental, sale, repair or renovation of existing buildings not exceeding a combined total display area of six (6) square feet in area in a residential or Mixed Use Zone, and not to exceed thirty-two (32) square feet in other zones, placed only on the premises for which each sign advertises, and which shall be removed from the premises within seven calendar days from completion of the activity or purpose for which it served;
- g.) Directional signs on the pavement and within parking and entrance areas;
- h.) Off premise commercial and noncommercial temporary signs which have been authorized to be erected and maintained on municipal or town owned property under the jurisdiction of the Board of Selectmen, School Committee, Parks and Recreation Committee or Library Board of Trustees.

8.9.4.3 Prohibited Signs

The following signs, permanent or temporary, are prohibited in the Town of Seekonk.

- a.) Off premise commercial signs;
- b.) Signs which obstruct or impede the immediate use of a fire escape, a fire or other emergency exit, or any emergency escape route;
- c.) Signs which obstruct the free passage of air, sunlight, or other means of lighting to any door, window, skylight or other opening of similar nature, or to mechanical means for providing a source of solar energy to an adjacent building or any other building on the same or adjoining lot, either passive or active;
- d.) Roof signs;
- e.) Signs which advertise or call attention to any product, business, or activity which is no longer sold, leased, or carried on, whether generally in town or elsewhere, or at that particular premises;
- f.) Signs which have not been repaired or properly maintained within thirty (30) days after written notice to that effect has been given to the owner of said sign by the Building Official;

- g.) Signs placed on the ground within any public right-of-way or sidewalk, and obstruct vehicular, pedestrian, bicycle or other transportation mobility;
- h.) Signs projecting over any public right-of way or over a sidewalk, except those specifically allowed in the Luther's Corners Village District;
- i.) Signs painted or composed of fluorescent, phosphorescent or similar material;
- j.) Signs, either in whole or in part, that are moving, mobile, or rotating;
- k.) Signs considered as strings, streamers, flags, pennants, revolving or flashing lights, spinners, or other similar devices which are attached or strung across, upon, over, or along any premises or building, whether as part of a sign of not;
- l.) Signs that are painted on the exterior surface of any wall or roof;
- m.) Signs that are attached to any tree, utility pole, or natural feature on any street, highway, or right-of-way unless expressly permitted elsewhere in this section.
- n.) Any vehicle or other object that has displays and that are stationary on a property and available for view from one or more adjacent ways or areas where the public gathers or is invited, for longer than XXXX on a regular basis

8.9.4.4 Legal Nonconforming Signs

Those legal nonconforming signs existing prior to the adoption of this section at Town Meeting may continue and may be maintained in a manner that retains their current form and finish. Existing nonconforming signs shall not be enlarged, redesigned, or otherwise materially altered except to conform to the current requirements of this section. Further, any such nonconforming sign which has deteriorated or been destroyed to such extent that the cost of restoration would exceed 50% of the replacement cost of the sign at the time of restoration shall not be repaired, rebuilt, or altered except in compliance with this By-Law.

8.9.4.5 Enforcement

- a.) The Building Official is hereby designated as the enforcing officer for this By-Law and shall enforce this Section 8.9 in accordance with Section 2.11 (Enforcement) and Section 2.13 (Penalty for Violations) of the Zoning By-Law.
- b.) The permit required of the applicant through the Building Official mentioned in Section 8.9.4.1 shall be issued only if the Building Official determines that the sign complies or will comply with this By-Law and applicable sections of the Commonwealth of Massachusetts Building Code. Such application of the permit must be filed either by the owner of the land or building or by any person showing written proof from the owner of said land that he has the authority to erect a sign on the premises.
- c.) The Building Official shall act within thirty (30) days of the receipt of said application for a permit and associated fee as determined by the fee schedules set by the Board of Selectmen. The Building Official's action on this, or other

elements of this section of By-Law, or failure to act, may be appealed to the Zoning Board of Appeals under the provisions of the Massachusetts General Laws, Chapter 40A.

8.9.5 Signs – Local Business, Highway Business and Industrial Districts and Uses

In addition to those signs listed in Section 8.9.4.2, allowable permanent signs in Local Business, Highway Business and Industrial Districts include:

- a.) Building signs including accessory signs, directory signs, marquees, and wall signs.
- b.) Free-standing signs including address signs, directional or traffic safety signs, changeable signs, canopy signs, double-faced signs, or ladder/directory signs.
- c.) Accessory signs
- d.) Awning signs

e.) Sandwich Board signs

8.9.5.1 In a Local Business, Highway Business, or Industrial District, there is permitted one building sign on each face of the building that is readily visible to motorists or pedestrians from a public right of way or customer access driveway in accordance with the following:

- a.) The total area of signage allowed for any building subject to this section shall be 10% of the total visible building face area. For the purposes of this calculation, visible building face areas are vertical walls readily visible to motorists or pedestrians from a public right of way or customer access driveway. In order to increase visibility to high traffic areas, applicants may distribute the total allowable signage area in a manner that increases sign area on any building face(s) up to twenty (20) percent.
- b.) Awning signs or other secondary signage designed to describe the general contents of the business shall not be counted toward the maximum building sign area.
- c.) The top edge of any building sign shall not be higher than either the roof ridge of the building or the highest point of the roof excluding ornamental portions thereof, if no ridge pole, or higher than the plate of a flat roof.
- d.) Exception to the building sign area limitation is allowed for individual letters mounted directly on the face of the building for the simple purpose of displaying the occupying company name. Such letters shall not exceed twenty (20) percent of the height of the building face below the plate on the side of the building on which the letters are mounted. The maximum height of individually-mounted letters shall be four (4) feet. In the Highway Business District, where the façade of a building is farther than 200 feet from the main access road, letters shall not exceed thirty (30) percent of the height of the building face below the plate on the side of the building on which the letters are mounted and the maximum height of individually-mounted letters shall be eight (8) feet.

- e.) Either affixed building signs or the individually lettered name may be used, but not both, for the same building occupant.

8.9.5.2 Free-standing signs in a Local Business, Highway Business, or Industrial District are limited in number to one for each entrance to a discreet building or cluster of buildings. This limitation shall not include address signs, directional or traffic safety signs, construction signs, or any sign exempted from this by-law.

- a.) The height and sign area of a free-standing sign shall be regulated by the table below. Signage associated with canopies for gasoline filling stations or similar structures shall be included in the calculation for free-standing sign area.

Local Business or Industrial		Highway Business	
Max. Sign Area (square feet)	Max. Height (feet)	Max. Sign Area (square feet)	Max. Height (feet)
60	25	120	25

- b.) For public safety, the whole of the signboard or display elements of any free-standing sign shall be either below three (3) feet in height, or above seven (7) feet in height, above average ground level. Such free-standing sign or its supports shall be located a minimum of twelve (12) feet from any lot line. An exception is permitted only if a front yard of less than twelve (12') feet deep from the lot line to the front of the building is a pre-existing condition or caused by land taking. In this case a double-face sign is permitted. This sign shall be no longer than four (4) feet or no higher than three (3) feet above average ground level.
- c.) Sign area shall be measured in accordance with the definition of "Area of a Sign" contained in the Zoning By-Law.
- d.) Free-standing signs may be double-faced. There shall be no printing or display on the thickness dimension.
- e.) The thickness from face to face of a free-standing double-faced shall be the minimum required to make the sign structurally sound and/or to enable the proper functioning of lighting associated with the sign.
- f.) The support members shall not extend beyond the vertical planes of the faces and ends of free-standing signs, except single-pole cantilever mounted signs wherein such pole shall not exceed twelve (12) inches in diameter.

8.9.5.3 Any signs permitted may be steadily illuminated either from within or by some outside source, subject to the following further provisions:

- a.) No sign shall be intermittently illuminated, nor have traveling, flashing or animated lighting, except for the purposes of protecting public safety and providing public information in the Local Business and Highway Business Districts by changing or intermitting letters, numbers or lights (e.g., displaying the time of day (or night), temperature, weather forecast, visibility, pollution

index). Said display shall be limited to free-standing signs and shall not exceed twenty-five (25) percent of either face of a free-standing sign.

- b.) LED technology may be used for signs in the Local Business and Highway Business districts in accordance with the following provisions:
 - i. Said display shall be limited to free-standing signs and shall not exceed twenty-five (25) percent of either face on a free-standing sign.
 - ii. The sign shall not be intermittently illuminated, nor have traveling, flashing or animated lighting, and script may only be changed daily.
 - iii. The sign will be made available for emergency purposes and a letter shall be submitted to the Building Official as part of the sign application stating that the property owner shall assist the Town with emergency notification upon request.
- c.) Signs shall neither emit nor reflect light with an intensity level greater than fifty (50) foot candles at one hundred (100) feet from the sign.
- d.) The illumination of signs associated with commercial, business or industrial uses within Local Business, Highway Business and Industrial Zones shall only occur during the hours such uses are open and/or operating.

8.9.6 Signs – Luther’s Corners Village District

In addition to those signs listed in Section 8.9.4.2, allowable permanent signs in Luther’s Corners Village District include:

- a.) Building signs including accessory signs, directory signs, projecting signs, marquees, and wall signs.
- b.) Free-standing signs including address signs, directional or traffic safety signs, changeable signs, canopy signs, double-faced signs, or ladder/directory signs.
- c.) Accessory signs
- d.) Awning signs

8.9.6.1 In a Luther’s Corners Village District, there is permitted one building sign on each face of the building that is readily visible to motorists or pedestrians from a public right of way or customer access driveway in accordance with the following:

- a.) The maximum area of allowable building signs shall be five (5) percent of the total building face area. Eligible building face areas are those readily visible to motorists or pedestrians from a public right of way or customer access driveway. In order to increase visibility to high traffic areas, applicants may distribute the total allowable signage area in a manner that increases sign area on any building face(s) up to ten (10) percent.
- b.) Awning signs or other secondary signage designed to describe the contents of the business shall not be counted toward the maximum building sign area.

- c.) The top edge of any building sign shall not be higher than either the roof ridge of the building or the highest point of the roof excluding ornamental portions thereof, if no ridge pole, or higher than the plate of a flat roof.

8.9.6.2 Free-standing signs in Luther's Corners Village District are limited in number to one for each entrance to a discreet building or per cluster of buildings. This limitation shall not include address signs, directional or traffic safety signs, or any sign exempted from this by-law.

- a.) Free-standing signs shall be limited to ground-mounted signs that are a maximum of four (4) feet high and have a maximum area of thirty-two (32) square feet.
- b.) Any ground-mounted free-standing sign or its supports shall be located a minimum of twelve (12) feet from any lot line. An exception is permitted only if a front yard of less than twelve (12) feet deep from the lot line to the front of the building is a pre-existing condition or caused by land taking. In this case a double-face sign is permitted. This sign shall be no longer than four (4) feet or no higher than three (3) feet above average ground level.
- c.) Sign area shall be measured in accordance with the definition of "Area of a Sign" contained in the Zoning By-Law.
- d.) Free-standing signs may be double-faced. There shall be no printing or display on the thickness dimension.
- e.) The thickness from face to face of a free-standing double-faced shall be the minimum required to make the sign structurally sound and/or to enable the proper functioning of lighting associated with the sign.
- f.) The support members shall not extend beyond the vertical planes of the faces and ends of free-standing signs, except single-pole cantilever mounted signs wherein such pole shall not exceed twelve (12) inches in diameter.

8.9.6.3 Projecting signs in Luther's Corners Village District may be used in accordance with the following provisions:

- a.) Signs may not project from the building face more than four (4) feet and may project into a public right of way.
- b.) The area of the sign (measured by one face of the sign) shall not exceed six (6) square feet. This area shall be included in the total building sign area calculation.
- c.) Vertical clearance between the bottom of the sign and the ground shall be a minimum of seven (7) feet.

8.9.6.4 The following design standards and limitations shall be applied to permanent signs in Luther's Corners Village District:

- a.) Lighting shall be shielded and/or directed to prevent trespass onto adjacent properties.

- b.) Permissible illuminated signs in the Luther's Corners Village District shall be illuminated from exterior lighting sources from a downward angle. Interior or backlighting for signage is not permitted.
- c.) Materials for signs shall be natural materials or synthetic materials designed to imitate natural materials.
- d.) Animated signs of any sort shall be prohibited.
- e.) The illumination of signs within the Luther's Corners Village District shall only occur during the hours for which the associated uses are open and/or operating.

8.9.7 Residential Districts

In addition to those signs listed in Section 8.9.4.2, allowable permanent signs in Resident Districts include:

- 8.9.7.1 Residence identification by name or address or both is permitted for each family in a dwelling. Such signs shall not exceed one (1) square foot per face and may be double-faced.
- 8.9.7.2 Institutional uses in residential areas may have one free-standing sign for each entrance driveway. Said free-standing sign may be single or double-faced with the maximum area of any individual face being forty (40) square feet).
- 8.9.7.3 For permitted uses, other than residential and those specified in Sections 8.9.7.2, one double-faced sign not in excess of twelve (12) square feet per face is permitted.
- 8.9.7.4 Signage erected as part of the development of a subdivision as defined in Chapter 41, Section 81K, M.G.L. Such exception shall permit a double-faced sign not to exceed thirty-two (32) square feet per face, or ten (10) feet in any direction erected. Construction and mounting shall conform to the provisions of Section 2.11.2 of this By-Law. One such sign is permitted near each entrance to the subdivision except that not more than one such sign shall face the same street. This sign will be removed from the premises within seven (7) days from the completion of the purpose.
- 8.9.7.5 Legally established, pre-existing nonconforming land uses in residential districts shall be allowed one double faced sign with the maximum sign area for each individual sign being two (2) square feet.
- 8.9.7.7 The following design standards and limitations shall be applied to permanent signs in Residential Districts:
 - a.) Lighting shall be shielded and/or directed to prevent trespass onto adjacent properties.
 - b.) Signs with commercial speech shall be illuminated from exterior lighting sources from a downward angle. Interior or backlighting for signage is not permitted.

- c.) Materials for signs shall be natural materials or synthetic materials designed to imitate natural materials.
- d.) Animated signs of any sort shall be prohibited.
- e.) Lighting for signs shall be turned off when the commercial operations to which they apply are closed. The illumination of signs within the Residential districts shall only occur during the hours for which the associated uses are open and/or operating.

8.9.8 Temporary Signs

Unless otherwise exempted in this bylaw or protected under state or federal law, temporary signs shall be regulated in accordance with the following provisions.

- 8.9.8.1 Unless otherwise regulated or exempted by specific provisions of this section, or elsewhere in this article, a temporary sign shall require a permit but no fee from the Building Commissioner, and shall be subject to all applicable regulations regarding size, duration, placement, installation illumination and other requirements.
- 8.9.8.2 Any such temporary sign shall not exceed eighteen (18) square feet.
- 8.9.8.3 No two or more such temporary signs that serve the same purpose shall be closer than five hundred (500) feet on land in contiguous ownership.
- 8.9.8.4 No such sign shall be placed on any street sign posts, tree or within the layout of any public way or private way that is open to public travel.
- 8.9.8.5 Each permit for such temporary sign shall include the name, address, and telephone number of the person responsible for the sign and the date of posting.
- 8.9.8.6 Any such temporary sign that violates this bylaw is subject to enforcement by the Building Commissioner, with owner of the sign and the property owner to be jointly liable for any enforcement expense incurred by the Town.
- 8.9.8.7 Any such sign for a temporary event should be removed within two (2) days of the conclusion of the event.
- 8.9.8.8 No such temporary sign shall be placed above the highest outside wall of the building.
- 8.9.8.9 No balloon may be elevated higher than the sign height restrictions applicable to the district within which it is to be used.
- 8.9.8.10 All temporary signs shall meet the safety, construction, placement, mounting and lighting regulations and standards established by the Building Commissioner and it shall be the responsibility of the sign displayer and owner of the property where the sign is displayed to be informed about these requirements.
- 8.9.8.11 All such temporary signs as permitted in this section shall be permitted on the same premises for no more than one-hundred (120) days each in the same calendar year. For the purposes of enforcement, these days do not need to be consecutive. For example, a property owner may choose to display a temporary

sign for fifty (50) days and then place the sign back into storage. If the property owner chooses to re-display the sign in the same calendar year, he or she may only do so for a total of seventy (70) days.

9.8 SOLAR PHOTOVOLTAIC FACILITY OVERLAY DISTRICT

9.8.1 PURPOSE

The purpose of the Solar Photovoltaic Facility (SPF) Overlay District is to promote the creation of new large-scale ground-mounted SPFs by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such facilities, which standards address public safety, minimize impacts on scenic, natural and historic resources and providing adequate financial assurance for the eventual decommissioning of such facilities.

The provisions set forth in this section shall apply to the construction, operation, repair and/or eventual removal of large-scale ground-mounted SPFs.

9.8.2 APPLICABILITY

This section applies to large-scale ground-mounted SPFs proposed to be constructed after the effective date of this section within the SPF Overlay District. This section also pertains to physical modifications that materially alter the type, configuration, or size of these facilities or related equipment.

9.8.3 DEFINITION OF TERMS

As-of-Right Siting: As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-right development of large-scale ground-mounted SPFs within the SPF District shall be subject to Site Plan Review, as set forth in Section 9.8.6, to determine conformance with this Zoning Bylaw.

Building Permit: A construction permit issued by the Building Official; the building permit evidences that the project is consistent with the state and federal building codes as well as these Zoning Bylaws, including those provisions governing ground-mounted large-scale SPFs.

Large-Scale Ground-Mounted Solar Photovoltaic Facility: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum rated nameplate capacity of 250 kW DC.

Rated Nameplate Capacity: The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

9.8.4 LOCATION

The SPF District shall be defined as all lands within the Industry District and Residential-4 zoning district as shown on the Seekonk, Massachusetts, Zoning Map dated 1979 and amendments

9.8.5 COMPLIANCE WITH LAWS, ORDINANCES, AND REGULATIONS

The construction and operation of all large-scale ground-mounted SPF's shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a large-scale ground-mounted SPF shall be constructed in accordance with the State Building Code.

9.8.6 SOLAR PHOTOVOLTAIC FACILITY SITE PLAN REVIEW

The following section applies only to Site Plan Review procedures and requirements related to applicants proposing to develop large-scale ground-mounted SPF's within the SPF District. Applicants within the SPF District proposing to develop a large-scale ground-mounted SPF shall abide by this section and shall not be subject to Section 10, Site Plan Review, of these Zoning Bylaws.

9.8.6.1 Purpose

The purpose of the SPF Site Plan Review is to protect the safety, public health, convenience and general welfare of the inhabitants of the Town of Seekonk by providing detailed review of the design and layout of large-scale ground-mounted SPF's with 250 kW or larger of rated nameplate capacity. These facilities shall undergo Site Plan Review prior to construction, installation or modification as provided in this section.

9.8.6.2 Powers and Administrative Procedure

All site plans are subject to the review and approval by the Planning Board (Board), which shall be administrative. The Board shall impose any reasonable conditions they find appropriate to improve the site design as based on the design standards below.

9.8.6.3 Pre-Application Review

The applicant is strongly encouraged to request a Pre-Application Review with the Town Planner, Conservation Agent, Building Official, Health Agent, Fire Chief, Water Superintendent, Public Works Superintendent, or other Town official. The applicant's consultants are strongly encouraged to attend. The purpose of this review is to outline the applicant's preliminary plan and receive comments from the members of the Town staff listed above so as to minimize the applicant's costs for engineering and other technical experts that may arise throughout the development process.

9.8.6.4 Procedure

Applicants shall submit an application for SPF Site Plan Review in accordance with the rules and regulations effectuating the purposes of this

bylaw adopted and periodically amended by the Board. Said application shall be deemed complete by the Town Planner in accordance with the required items for a completed application as outlined in the rules and regulations. An application will be deemed either complete or incomplete within one week of its receipt. Applicants who have submitted incomplete applications will then be notified in writing of which required items are missing.

When reviewing an application for approval, the Board may determine that the assistance of outside consultants is warranted due to a project's potential impacts. The cost of such outside consultants shall be borne by the applicant.

No large-scale ground mounted SPF shall be constructed, installed or modified as provided in this section without first obtaining a building permit. A building permit shall not be issued without either an approved plan signed by the Clerk of the Board that is compliant with any conditions put forth as part of the approval by the Board or by indicated approval as follows. If the Board does not act upon such plan within three-hundred-sixty five (365) days after receipt of a completed application, it shall be deemed to be acceptable and the plan shall be signed "Approved by Default" by the Town Clerk.

Site Plan approvals are valid for one year following the date of approval. Construction shall commence within this timeframe. A one-year extension may be granted by the Board upon receipt of written correspondence by the applicant seeking said extension. Prior to construction, erosion and sedimentation control measures shall be in place in accordance with these Bylaws.

9.8.6.5 Compliance with Approved Plan

Before the issuance of a permanent occupancy permit, the Building Inspector, in consultation with the Town Planner, shall verify compliance with the approved site plan and an as-built plan, certified by a registered professional land surveyor or engineer, which shall be submitted to the Board and Building Inspector. The as-built plan shall attest to a development's conformity to its approved site plan by indicating landscaping, buildings, drainage flow, number of parking stalls, and limits of parking areas and drives.

Any changes in the approved site plan or in the activity to be conducted on the site that would cause a change to any of the standards in Section 9.8.7 shall be submitted to the Board for review and approval. The Town Planner may administratively approve any changes to the approved site plan that do not cause non-compliance with any of the standards in Section 9.8.7.

9.8.6.6 Appeals

Any person aggrieved by a decision of the Board under this section, may appeal this decision to the Zoning Board of Appeals. Subsequent appeals shall be brought forth to Superior Court, the Land Court or the District Court pursuant to Chapter 40A, Section 17 of the Massachusetts General Laws.

9.8.7 DIMENSIONAL AND DESIGN STANDARDS

The following elements, in addition to any standards prescribed elsewhere in this Bylaw, shall be utilized by the Board in considering all site plans.

9.8.7.1 Dimensional Standards

(a) Setbacks

All construction shall comply with the yard, space, and height requirements of the underlying zoning district(s).

9.8.7.2 Design Standards

(a) Parking Requirements

The application shall demonstrate that adequate access, parking, and circulation are provided for service and emergency vehicles as determined by the Board.

(b) Drainage

Erosion and sedimentation control shall conform to Category 20B – Stormwater Management of the General Bylaws. Runoff control shall conform to Category 20C – Stormwater Management of the General Bylaws.

(c) Landscaping

(i) A minimum 10-foot landscaped buffer around the perimeter of all sites shall be provided. A 25-foot buffer containing landscaping, a grassed earth berm, a fence, masonry wall or some combination of these screening devices, shall be provided on each side which adjoins or faces the side or rear lot line of a parcel in residential use or in a residential district.

- (ii) Any double row of parking spaces shall be terminated by landscaped islands which measure not less than ten feet in width and not less than 36 feet in length. The interior of parking lots shall have at a minimum landscaped center islands at every other double row as applicable. Pedestrian paths may be incorporated within the landscaped area provided a minimum of four feet, exclusive of paved areas, is maintained for all landscaped areas. Said double rows of parking spaces shall not exceed twenty (20) adjacent spaces or ten (10) spaces in each row.
- (iii) The interior of parking areas shall be shaded by deciduous trees to the maximum extent practicable without limiting sunlight exposure of the SPF.
- (iv) Landscaping shall be so designed as to prevent parking or driving on any portion of a landscaped area except grassed areas to be used as overflow parking areas.
- (v) Landscaping, which shall all be live, shall include trees or shrubs of a potential height of at least three (3) feet sufficiently spaced to define and screen the area in the event the landscaping is inadequately maintained. Landscaping shall not interfere with a safe view of traffic or pedestrian flow.
- (vi) Utility areas as well as garbage collection, recycling areas, and other outside storage areas shall be screened by a planted buffer strip along three sides of such a facility. Planting material should include a mixture of evergreen trees and shrubs.

(d) Lighting

The minimum illumination levels measured in footcandles for all parking spaces serving the designated uses of the SPF District is 1.0 footcandle.

The maximum spillover illumination to adjacent property shall be 1.0 footcandle. No areas shall be floodlit. Drives and parking areas shall not be illuminated by lighting fixtures higher than twenty (20) feet. Sidewalks shall not be illuminated by lighting fixtures higher than fifteen (15) feet. All lighting fixtures shall be shielded to have a total cutoff of all light at less than ninety (90) degrees. The total cutoff of all light shall occur within the property lines of the parcel to be developed. A lighting plan showing the location and type of lighting fixtures as well as a photometric plan conforming to this section shall be submitted.

(e) Architectural Guidelines

The design of the proposed large-scale ground-mounted SPF's and associated appurtenant structures shall complement, whenever feasible, the general setback, roof line, arrangement of openings, color, and exterior materials, proportion and scale of existing buildings in the vicinity.

(f) Signage

Signs on large-scale ground-mounted SPF's shall comply with Section 12, Signs and Advertising Devices, of these Bylaws. A sign consistent with Section 12 shall be required to identify the owner and provide a 24-hour emergency contact phone number. SPF's shall not be used for displaying any advertising except for reasonable identification, as determined by the Board, of the manufacturer or operator of the SPF.

(g) Utility Connections

Reasonable efforts, as determined by the Board, shall be made to place all utility connections from the SPF underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

(h) Visual Impact – Reasonable efforts, as determined by the Board, shall be made to minimize visual impacts by preserving natural vegetation, screening abutting properties, or other appropriate measures, including but not limited to fencing.

(i) Land Clearing, Soil Erosion and Habitat Impacts - Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the SPF or as otherwise prescribed by applicable laws, regulations, and bylaws.

9.8.8 SAFETY AND ENVIRONMENTAL STANDARDS

9.8.8.1 Emergency Services

The applicant shall submit a plan clearly marking all means of shutting down the SPF and identification of a responsible person for public inquiries throughout the life of the facility to the Board, Fire Chief and Police Chief.

9.8.8.2 Land Clearing, Soil Erosion, and Habitat Impacts

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted SPF or as otherwise prescribed by applicable laws, regulations, and bylaws.

9.8.9 OPERATION & MAINTENANCE PLAN

The applicant shall submit a plan for the operation and maintenance of the large-scale ground-mounted SPF, which shall include measures for maintaining safe access to the facility, stormwater controls, as well as general procedures for operational maintenance of the facility. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures.

9.8.10 UTILITY NOTIFICATION

No large-scale ground-mounted SPF shall be constructed until evidence has been given to the Board that the utility company that operates the electrical grid where the facility is to be located has been informed of the SPF owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

9.8.11 ABANDONMENT AND DECOMMISSIONING

9.8.11.1 Removal Requirements

Any large-scale ground-mounted SPF which has reached the end of its useful life or has been abandoned consistent with Section 9.8.11.2 of this Bylaw shall be removed. The owner or operator shall physically remove the facility no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all large-scale ground-mounted SPFs, structures, equipment, security barriers and transmission lines from the site.
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

9.8.11.2 Abandonment

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the SPF shall be considered abandoned when it fails to operate for more than one year without the written consent of the Board. If the owner or operator of the large-scale ground-mounted SPF fails to remove the facility in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning, the Town may enter the property and physically remove the facility.

9.8.12 FINANCIAL SURETY

Applicants proposing to develop large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the facility and restore the landscape, in an amount and form determined to be reasonable by the Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the applicant. As a condition of approval, an applicant shall bind itself to grant the necessary license or easement to the Town to allow entry to remove the structure. The Town shall have the right but not the obligation to remove the facility. Such surety will not be required for municipally- or state-owned facilities. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

SEEKONK WATER DISTRICT



**50 Water Lane - P.O. Box 97
Seekonk, Massachusetts 02771**

**Tel: (508) 761-8170
Fax: (508) 761-9928**

November 25, 2014

Mr. John Hansen, Town Planner
Planning Board
Town Hall
100 Peck Street
Seekonk, MA 02771

Dear Mr. Hansen:

The Board of Water Commissioners respectfully requests your attendance for a presentation on the Water District's Draft Water Resource Protection District and other wellhead protection efforts. Please join us at the Seekonk Library on January 6th, 2015 at 6:30 p.m. for this important meeting.

Please contact the Water District if you are unable to attend.

Sincerely,

A handwritten signature in cursive script that reads "Christine D. Allen".

Christine Allen
Chairwoman, Board of Water Commissioners

TOWN OF SEEKONK
Planning Board

MEMORANDUM

To: The Planning Board
From: John P. Hansen Jr., AICP, Town Planner
Date: December 1, 2014
Re: November monthly report

BYLAWS

Non-Conformities section rewrite

- Board reviewed and approved draft; Public hearing in early 2015 with Spring TM adoption proposed.

Aquifer Protection Bylaw

- Will invite Water Commissioners to a meeting in January to discuss new bylaw

Solar Overlay

- Proposed amendment to include R-4 zoning district within overlay reviewed. Public hearing in 2015 with Spring TM adoption proposed.

PLANS

Master Plan

- Economic Development Committee discussed tax increment financing, budget, and marketing strategy

MISC

Luthers Corners Safety Improvement Project

- Design on-going; To be constructed in 2017

SUBDIVISIONS

15 Walker St

- Pre-application meeting held for 12-lot conventional subdivision

Orchard Estates (off School St)

- Binder course of asphalt installed

Tall Pines (off Brook St)

- Binder course of asphalt installed

Madison Estates (off Read St)

- Binder course of asphalt installed

Caleb Estates (off Olney St)

- Binder course of asphalt installed

Ricard St. Extension

- Binder course of asphalt installed

Pine Hill Estates (off Newman Ave)

- Binder course of asphalt installed; Amendment approved to allow cul-de-sac pavement width increase by 2'.

Jacob Hill Estates (off Jacob St)

- Binder installed

Country Brook Estates (off Arcade Ave)

- Definitive Plan approved; Surety established

Summer Meadows (off Warren Ave)

- Binder course of asphalt installed

Winterfell (off Warren Ave)

- Approved

Farmland Estates (off Lincoln St)

- Surety established

SITE PLANS

Swan Brook Assisted Living (on Rt. 6)

- Review by consultant being performed

Unnamed Distribution Facility (1977 Fall River Ave)

- Pre-application meeting held; Large facility (225K sq ft/450 parking spaces) proposed; Site Plan review and ConCom approval necessary; If deemed feasible by prospective buyer, project to move forward

SEEKONK PLANNING BOARD
Regular Meeting
November 18, 2014

Present: Ch. Abelson, M. Bourque, R. Bennett, S. Foulkes, D. Sullivan, D. Viera,
J. Hansen, Town Planner
Absent: L. Dunn (with cause)
7:00PM Ch. Abelson opened the meeting

**Definitive Subdivision Public Hearing: Winterfell –
Trebtor Properties, LLC**

Ch. Abelson opened the Public Hearing and read the order of business.

A motion was made and unanimously voted to waive the reading of the legal notice.

Introduction of Town Planner and Board Members

Paul Carlson from InSite Engineering introduced himself and went on to summarize the Definitive Plan for Winterfell subdivision. He said it was a Conservation Design Subdivision consisting of 11 residential house lots all approximately 20K sq. ft., on a public cul-de-sac. There were 9 house lots by-right and 2 additional lots with the density bonus special permit option. He noted it is next to farmland and the topography of the land is flat. He said they will be going before the ZBA for a variance on the limited area of disturbance. All percs have been done and there will be individual septs and wells. The storm water system will be managed on site, no closed drainage systems and there will be grass swales. They have submitted the plans with storm water management and drainage calculations to the consulting engineer and there were a few minor issues that need to be addressed. He noted he was looking for a waiver under section 7.2.4.2 regarding increasing the landscaped island from 40' diameter to 60' making the road 22.5 foot wide around the cul-de-sac.

M. Bourque said he discussed this with the Fire Chief and they both felt the cul-de-sac was too narrow.

P. Carlson said the request was based on prior submissions in which the pavement width under the bylaws is 30 ft. which is a lot of unnecessary pavement and in some cases takes four times to go around with the snow plow. He went on to say previous cul-de-sac designs had 16 ft of pavement, so those measurements along with the new ladder truck created a turning radius issue. He said this design met the radius requirements with the new ladder truck and also reduced the pavement width for drainage purposes.

Further discussion on the pavement width.

P. Carlson said he would be willing to go back to the original specifications and not seek the

waiver.

Ch. Abelson said we could leave the diameter at 105' and decrease the internal diameter.

P. Carlson said the internal radius of 40' would create an additional 500 sq ft of pavement and will not make any difference as far as the drainage. J. Hansen suggested having the consultant review to make sure.

Ch. Abelson asked if there were any proponents or opponents to speak. None.

J. Hansen made the board aware of the conditions. He said there was a letter from the Fire Chief regarding sprinklers and DPW has no issues with the subdivision plans.

A motion was made by M. Bourque and seconded by R. Bennett and voted unanimously to close the public hearing.

A motion was made by R. Bennett and seconded by M. Bourque and voted unanimously to approve the Definitive Subdivision Plan – Winterfell, latest revision date of 10/20/14 and Drainage Analysis and Stormwater Management Narrative, latest revision date of 10/20/14, as all Subdivision Rules and Regulations are met, with the following conditions:

1. Appropriate documentation shall be submitted for the establishment of a homeowner's association, drainage easements, and an open space restriction on the open space land, which shall be delineated by a split rail fence. These documents shall be submitted prior to endorsement and recorded along with the subdivision.
2. The provisions of sections 25.10.1 (affordable unit amounts, size & distribution) and 25.10.1.4 (construction schedule) shall be adhered to.
3. Prior to issuance of a building permit for each lot, the lot owner/developer shall submit a lot site plan and supporting information documenting the following:
 - a. The grading of the lot is consistent with the impervious surface coverage and the drainage patterns depicted on the approved Subdivision Plans.
 - b. The development of the individual lots will implement and maintain erosion and sediment control measures during construction as stipulated on the approved Subdivision Plans. The lot plan should illustrate the placement and details of these measures.

4. The \$5000/residential unit fee (\$55,000) in lieu of providing individual sprinkler systems or subsurface water storage shall be submitted in the form of check made payable to the Town of Seekonk to the Fire Department prior to endorsement of the approved definitive plan.
5. The applicant shall confirm that stormwater will remain on site for the 100 year storm event under post development condition consistent with pre-development conditions.
6. Soil data for the infiltration basin test holes shall be added to the final plans and confirmed by the Health Agent prior to construction of said basins.
7. Detailed designs for the individual lots shall be submitted to the Planning Department, at the time building permits are sought, showing the slab elevations at least two feet above the seasonal high water table elevation.
8. The applicant shall remove the vegetation to the southeast of the subdivision road entrance to improve the site distance and coordinate this effort with DPW.
9. The plans shall be revised to show a 40' diameter landscaped island, which shall be reviewed by DiPrete Engineering to confirm that the drainage system is adequate for this increase in pavement.

Definitive Subdivision Amendment Pine Hill Estates– Najas Realty

Ch. Abelson opened the Public Hearing and read the order of business.

A motion was made and unanimously voted to waive the reading of the legal notice.

Introduction of Town Planner and Board Members

P. Carlson introduced himself and was representing Najas Realty for the amendment to the 9 lot subdivision Pine Hill Estates. He noted during the course of construction some concerns were raised by abutting homeowners, the Fire Chief and DPW about the narrowness of the road and depth of the bioretention basin. He said it has been requested that the pavement width be expanded 2' and reduce the depth of the bioretention area by 1.5'. He noted it had gone to the consulting engineer and they are satisfied with the design.

S. Foulkes asked if there was a heavy rainstorm, would the change in the bioretention area cause more water run-off on to the road.

P. Carlson said that the bioretention was designed for small amounts; however the drainage had been designed to meet the 100' storm.

D. Viera asked if there was a home owners association (HOA) in place and how do we guarantee there will one in place in 10 years

P. Carlson noted yes and it is included on the deed.

M. Bourque said if a catch basin needed to be fixed and the bill was not paid by the HOA the town could put a lien on everyone's property in the subdivision.

J. Hansen said the town gets annual reports stating they are maintaining the catch basin. He noted P. Carlson had already submitted two years of annual reports for two other subdivisions with HOA's.

D. Viera said he was concerned about issues slipping through the cracks and just wanted to make sure there were penalties in place if they did.

J. Hansen reiterated the town can put a lien on the property if they need to.

M. Bourque noted that would be only if the town had to correct something.

P. Carlson said the HOA has annual dues, meetings, and maintenance of the infiltration pond. He noted as of now because it is just being built he is obligated to go out and review and report back any deficiencies and problems to the client and the Town Planner.

Ch. Abelson asked if there were any proponents or opponents to speak. None.

A motion was made by M. Bourque, seconded by R. Bennett and voted unanimously to close the public hearing.

A motion was made by R. Bennett, seconded by D. Viera and voted unanimously to accept the amendments for Pine Hill Estates Plan dated July 10, 2014, to increase the width of the pavement by 2' and reduce the depth of the bioretention area by 1.5'

D. Sullivan suggested the Fire Department write a list of needs and give it to the PB.

M. Bourque said he would talk to the Fire Chief and come up with a list.

Discussion: Water Resource Protection District

Ch. Abelson said there was a very informative discussion with the Water Commissioners at the meeting held at the library.

S. Foulkes asked if it would be replacing the current Aquifer District bylaw.

J. Hansen said that after reviewing the new bylaw with the Wellhead Protection Plan, it seemed it was incorporating the issues that were identified in that plan. He said the one omission he noticed between this and the current bylaw was the 40,000 sq ft minimum lot size.

He summarized this was important because it could increase the amount of lots that can be built in the Aquifer Protection District, that was why the last subdivision in the APD proposed 10 lots not 20. He didn't know if it was an oversight so he emailed the engineer for the Water District and got no comment. He recommended that the PB authorize him to write a memo to the Water District asking if they plan on omitting the 40,000sq ft minimum lot size. He went to say if one looked at it historically in 1987 it was very controversial at Town Meeting and perceived as taking some property rights away by a having a big push to protect the water supply. He wondered why they would be taking the minimum lot size out.

S. Foulkes said she read in section 9.4.4.2 2i page 6, that all lots shall have an area not less than 60,000sq ft and she wondered if this was what J. Hansen was talking about.

J. Hansen said in the current section 9.4.4.1 under 1, its says the maximum is one dwelling unit per 40,000 sq ft of land area. It doesn't say dwelling units just lot sizes.

A motion was made by D. Viera and seconded by D. Sullivan and voted unanimously to authorize the Town Planner to write a memo to the Water District asking why the 40,000 sq ft minimum lot size was being omitted.

S. Foulkes noted in section 9.4.5 *Special Permits and Procedures*; there was a semicolon, then nothing following it. She also noted other inconsistencies throughout the document.

P. Carlson said if a person had a 10,000 sq ft lot based on those regulations they would only be allowed to disturb 5,000 sq ft. He said it would be very difficult to build, probably impossible with those setbacks.

J. Hansen said there were a multitude of things that appear in the draft that are different from the current bylaws.

D. Sullivan said it would be good if the differences were highlighted.

D. Viera said the PB needs to understand what would be going to Town Meeting.

D. Sullivan said the PB should have a meeting and go over this piece by piece, old vs. new.

J. Hansen said they should strike the previous motion and instead ask the Water District to have a joint meeting and in that memo include some of the PB's questions. He went on to say Tuesday January 27, 2015 would be preferable for a work session only.

P. Carlson asked to be notified of the meeting.

A motion was made by D. Viera, seconded by D. Sullivan and voted unanimously to authorize the Town Planner to send correspondence to the Water District requesting a joint meeting for a work session on 1/27/15 to go over the proposed changes to the bylaws by the Water District.

Discussion: Solar Overlay

J. Hansen summarized at previous PB meetings it was asked if someone could put large scale ground mounted solar in a R4 zone. There were concerns about landscaping and screening and discussions about extending the overlay into business zones for solar canopies over parking lots. He noted that after researching solar canopies he found they are not typically regulated in the zoning bylaws because they are not a primary use of a lot, the business on the property is. He said he didn't think it needed to be included in the highway business zone based on the fact that the zoning officer could issue a permit to do that. He noted they were talking large scale systems on an industrial piece of property or on a large R4 piece of property that is currently vacant and would be the primary use on that property. He said that lead him to believe the solar overlay needed to extend to R4 zoning districts. He asked if the PB wanted to go forward in the spring with some of those recommendations.

D. Viera said he would want to have a public hearing on it.

J. Hansen said there would be a public hearing but he just wanted to make sure the PB was okay with going forward with this discussion and to put it down in writing.

The PB unanimously said yes.

Discussion: Impact Fees

J. Hansen summarized that D. Viera had brought this up at last meeting and he had done some research into the subject. He said there are three requirements for impact fees: 1) voluntary, 2) not to benefit the public, 3) can only benefit those people only, (it can't raise revenue and can't be overestimated).

D. Viera brought up at the last the BOS meeting they were talking about the Cuddigan property on RT 6 and how there is no water there. He said he would like be able to negotiate with whoever wants to build on the property to get them to purchase a tanker, which could be utilized by them and everyone outside of development.

Ch. Abelson said you can't arbitrarily have impact fees since you have to meet those three conditions. The way around it is they have a need or relief and then the Town can offer it but you can't make it a requirement.

D. Viera said Wal-Mart gave 1000' of 4" hose. He went on to say he respected the work that was done but he would want a legal opinion from an attorney other than the Town's.

P. Carlson from Insite Engineering said impact fees were ruled illegal, impact fees for subdivisions were looked at as extortion.

Ch. Abelson said he was referring to large development.

D. Viera said in Somerset a Nursing/ Assisted Living Home was built and they bought a ladder truck for the town.

J. Hansen asked if that was voluntary.

D. Viera did not know. He said he wanted an opinion from an Attorney from Attleboro or Taunton, someone who was familiar with this area. He said the big box stores were impacting the town.

D. Sullivan wondered how they could organize this to be beneficial.

J. Hansen said you would need to have negotiations and discussions at the pre-application meetings.

D. Sullivan said the developers are looking for relief, special permits and zoning helps you get that advantage. He went on to say that's where you get that benefit from and we don't have that in our zoning bylaws. He said he looked at a couple of towns around us and almost everything is special permit.

J. Hansen said you cannot deny a site plan if they meet all the criteria. In reference to the Cuddigan property, they know they need the water there, the rest of the businesses will benefit. He said he would speak with SRPEDD and the Town Planners in N. Attleboro and Foxboro about impact fees.

Discussion: Zoning Bylaws

D. Sullivan summarized that starting in January 2015 he would like the PB to review and to discuss the zoning bylaws. He suggested the fourth Tuesday of the month during the winter as a work session meeting to do this. He also brought up discussing special permitting, looking at other communities to see how they do it and creating a set of bylaws that would allow the town some flexibility.

D. Viera noted that the PB can't create issues either.

D. Sullivan said if you read through the zoning bylaws from in Foxboro, Mansfield, N. Attleboro, they have tiers if buildings are a certain size they get special permits.

D. Viera noted the PB should also discuss the Water District giving relief for developers to get water to their property; they would be more than willing to build in Seekonk if it was half price.

R. Bennett said if they expand their customer base then they would have more money.

Ch. Abelson said he thought the PB could start looking at the bylaws but he would like to see the Water Resource Protection District and sign bylaw resolved first.

J. Hansen gave an update on the sign bylaw; he was waiting for the Economic Development Committee's input based on a recent survey that they sent out to the businesses in town concerning signs.

D. Sullivan said he would not have a problem with the idea of putting the sign bylaw on the agenda for the January meeting then looking at February or March for a public hearing and then going to spring town meeting with it.

Ch. Abelson said the Water District will be holding a public hearing for the Water Resource Protection District bylaws.

Correspondence:

J. Hansen updated the PB that he had a request to sign off on a building permit for Jacob Hill Estates. DPW signed off, but the Fire Chief would not sign off because the cul-de-sac wasn't wide enough. He noted it was per the plan but the review did not include comments about the cul-de-sac. The developer does not want the expense of widening the road. He went on to say under 81W of Subdivision Control Law the PB on its own motion can amend. In this case no one has started building yet, only the binder course is down. He said if the PB wanted to make the amendment, the Town would have to pay for the advertising, amend the subdivision to widen the road, but the developer would submit the drainage calculations.

D. Sullivan said if developer is not cooperative the only recourse is not issuing permits.

A motion was made by D. Viera seconded by D. Sullivan and voted unanimously to not issue a building permit until the issue of the cul-de-sac is resolved. A building permit can be issued once all the paperwork and plans have been submitted.

All amended plans and paperwork must be submitted in January 2015 for a public hearing.

D. Sullivan said he looked back at the minutes from April and wondered if anyone had looked at the goals and objectives of the Master Plan.

J. Hansen said at the next meeting he would give everyone a copy of the implementation guide and have everyone review it for the next meeting and make a priority list from that.

Approval of Minutes: 10/14/14

A motion was made and voted unanimously to approve the Planning Board Minutes of 10/14/14.

Adjournment

A motion was made and voted unanimously to adjourn at 9:25PM.

Respectfully Submitted by,
Florice Craig