

TOWN OF SEEKONK



May 16, 2016

Spring Town Meeting

Town Moderator

Vacant

Town Clerk

Jan Parker

Board of Selectmen

David J. Andrade, Chairman
David S. Parker, Vice Chairman
David F. Viera, Clerk
Nelson Almeida
Michelle A. Hines

Finance Committee

Myrna Elderkin, Chairperson
Ben Furman
Russell Horsman
Karen Perkins
David Saad
Justin Sullivan

Town Administrator

Shawn E. Cadime

Town of Seekonk

SPRING TOWN MEETING

BRISTOL, SS.

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby requested to notify the inhabitants of the Town who are qualified to vote in Town affairs, to meet at Seekonk High School, 261 Arcade Avenue, Seekonk, Massachusetts on:

Monday, May 16, 2016 at 7:00 P. M.

To vote on the following Articles. The Meeting was called to order by the Town Clerk at 7:05 PM with a quorum count of 93 registered voters and turned the meeting over to the Town Moderator, who presided at said Meeting

A motion was made to allow the following non-residents to speak at the meeting, if needed:

Shawn Cadime, Town Administrator, Peter Fuller, Library Director, Theodora Gabriel; Town Assessor, Bruce Alexander, Director of Finance, Bernadette Huck, Director Human Services Council, Christine DeFontes, Treasurer/Collector, John Aubin, III, Town Planner, Arlene Bosco, School Superintendent, David Betts, building Inspector, Joe Fair, Town Counsel, James LaFlame, veterans Agent, and Rob Bernardo, water superintendent.

Action on the motion: Motion passes with a unanimous vote.

ARTICLE 1

A motion was made that the Town vote to receive the reports of Town Officers, or Committees, and to place them on file with the Town Clerk.

Reports were given by David Bowden, Senior Center Building Committee, Alyssa Richard, Library Facilities Committee, David Sullivan, By-Law Study Committee, and Myrna Elderkin, Finance Committee.

Action on the motion: Motion passes with a unanimous vote.

Submitted by: Board of Selectmen
Board of Selectmen: Recommends Approval
Finance Committee: No Action Taken

ARTICLE 2

Submitted by: Board of Selectmen
Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

ARTICLE 3

To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 44, Section 53E1/2, to authorize and/or re-authorize the following revolving funds for the Fiscal Year beginning July 1, 2016 at to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials, for the following stated purposes, not to exceed the following spending limits or to take any other action relative thereto:

| Fund # | Name of Revolving Fund | Spending Authority | Revenue Source | Use of Funds | FY 2017 Spending Limit |
|--------|---|---------------------------------------|--|--|-----------------------------------|
| 1 | Human Services Council Revolving Fund | Human Services Board of Directors | Usage Fees, Donations and other revenue | Human Services Programs | \$40,000 |
| 2 | Conservation Commission Revolving Fund | Conservation Commission | Application and Permit Fees | Administration of Wetlands Protection Act | \$60,000 |
| 3 | Trash Bag Revolving Fund | Department of Public Works | Sale of Solid Waste bags | Purchase of Solid Waste bags | \$65,000 |
| 4 | Police Revolving Fund | Police Department | Processing Fees associated with employment of police officers | Recruit testing, promotional testing, staff development and associated costs | \$5,000 |
| 5 | Recreation Revolving Fund | Parks and Recreation Commission | Usage Fees, permits, donations and other revenue | Direct program services and programs | \$45,000 |
| 6 | Police Detail Revolving Fund | Police Department/ Board of Selectmen | Usage Fees and other revenue directly related to use of marked police vehicles on road details | Repair, maintain, and/or acquisition of police vehicles. Acquisition of equipment. | \$30,000 /Police \$60,000 /BOS |
| 7 | Library Printing & Copying Revolving Fund | Board of Library Trustees | Usage Fees and other revenue directly related to sale of printing and copying services | Replenish supplies for printing & copying services | \$5,000 |

| | | | | | |
|----|--|---------------------------|---|--|---------|
| 8 | Library Food & Beverage Revolving Fund | Board of Library Trustees | Usage Fees and other revenue directly related to sale of food and beverages | Replenish supplies for food and beverage sales | \$5,000 |
| 9 | Food Inspection Revolving Fund | Board of Health | Usage Fees and other revenue directly related to after hour food inspections | After hour inspections of food establishments | \$5,000 |
| 10 | Planning Board Revolving Fund | Planning Board | Usage Fees and other revenue directly related to recording at the Registry of Deeds | Recording at Registry of Deeds | \$5,000 |
| 11 | Sharps Disposal Revolving Fund | Board of Health | Usage Fees and other revenue directly related to disposal of sharps | Replenish containers and disposal of waste | \$5,000 |

A motion was made that the Town vote to authorize or reauthorize revolving funds including Human Services Council Revolving Fund, Conservation Commission Revolving Fund, Trash Bag Revolving Fund, Police Recruitment Revolving Fund, Police Detail Revolving Fund, Recreation Revolving Fund, Library Printing & Copying Revolving Fund, Library Food & Beverage Revolving Fund, Planning Board Revolving Fund, Food Inspection Revolving Fund, and Sharps Disposal Revolving Fund as presented in the warrant for this Town Meeting.

Action on the motion: Motion passes with 92 approving and 1 disapproving.

**Submitted by: Board of Selectmen
 Board of Selectmen: Recommends Approval 4-0 with 1 Abstaining Vote
 Finance Committee: Recommends Approval**

At 7:45 PM there were 166 registered voters checked in.

ARTICLE 4

A motion was made that the Town vote to fix the salary and compensation for the following elected officials of the Town as provided by G.L. c. 41, s. 108 for their services for the fiscal year commencing July 1, 2016 as follows, provided that any part-time elected official may waive receipt of compensation.

| | |
|-------------------------------------|-----------------|
| <i>Board of Selectmen, Chairman</i> | <i>\$2,400</i> |
| <i>Board of Selectmen, Member</i> | <i>\$2,100</i> |
| <i>School Committee, Chairman</i> | <i>\$1,400</i> |
| <i>School Committee, Member</i> | <i>\$1,000</i> |
| <i>Board of Assessor, Chair</i> | <i>\$3,139</i> |
| <i>Board of Assessor, Member</i> | <i>\$2,789</i> |
| <i>Town Clerk</i> | <i>\$66,368</i> |

Action on the motion: Motion passes with 163 approving and 3 disapproving.

Submitted by: Board of Selectmen
Board of Selectmen: No Recommendation
Finance Committee: Recommends Approval 5-0 with 1 Abstaining Vote

ARTICLE 5

A motion was made that the Town vote to transfer the sum of \$10,000 from the Dog License Receipts Reserved account #23063000 to Dog License Receipts Appropriated account #23064000, to be expended by the Animal Control Department as provided by Town By-law.

Action on the motion: Motion passes with a unanimous vote.

Submitted by: Board of Selectmen
Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

ARTICLE 6

A motion was made that the Town vote to appropriate from the Municipal Capital Stabilization Fund the following monies in the amounts and for the purposes designated, and further to authorize appropriate Town officials to enter into contracts for more than three years for such purposes, applicable:

1. *Year Three (3) of a seven (7) year lease/purchase of an aerial fire apparatus for the Fire Department to be expended under the direction of the Board of Selectmen* \$106,852.00
2. *Year One (1) of four (4) year lease/purchase of Self-Contained Breathing Apparatus (25 units) to be expended under the direction of the Board of Selectmen* \$22,500.00
3. *Year One (1) of seven (7) year lease/purchase of a Fire Engine to be expended under the direction of the Board of Selectmen* \$71,352.00
4. *Radio Antenna Replacement for public safety radio system to be expended under direction of the Board of Selectmen* \$12,000.00
5. *Vision 21 Systems for the Communications Department to be expended under direction of the Board of Selectmen* \$32,000.00
6. *Replacement of non-lethal electronic control devices, Taser (50 Units) for the Police Department to be expended under control of the Board of Selectmen* \$65,000.00
7. *Year One (1) of a five (5) year lease/purchase for large and medium dump trucks for the Department of Public Works to be expended under control of the Board of Selectmen* \$61,400.00
8. *Year One (1) of a three (3) year lease purchase for two (2) Town Hall pool vehicles to be expended under the direction of the Board of Selectmen* \$15,265.00 *Action on the motion: Motion passes with 148 approving and 6 opposing.*

Submitted by: Board of Selectmen
Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

A motion was made to allow the Moderator to declare a 2/3 vote on articles requiring that vote. Motion passes with a unanimous vote.

ARTICLE 7

submitted by: School Committee
Board of Selectmen:
Finance Committee: Not Recommend Approval

A motion was made to appropriate from free cash for payment for the purchase departmental equipment as specified below:

- a. **The sum of \$31,579 for the purchase of textbooks to be expended under the direction of the School Committee.**
- b. **The sum of \$19,175 for the purchase of library books to be expended under the direction of the School Committee.**
- c. **The sum of \$21,592 for the purchase of science lab, furniture and equipment, consumer science and special education programs to be expended under the direction of the School Committee.**
- d. **The sum of \$38,700 for the purchase of instructional hardware to be expended under the direction of the School Committee.**
- e. **The sum of 29,298 for the purchase of computer instructional software to be expended under the direction of the School Committee**
- f. **The sum of \$63,000 for the purchase of network contracted services to be expended under the direction of the School Committee**
- g. **The sum of \$10,000 for the purchase of network hardware to be expended under the direction of the School Committee**
- h. **The sum of \$82,925 for the purchase of network software to be expended under the direction of the School Committee**

Action on the motion: Motion passes with 74 approving and 71 disapproving

ARTICLE 8

To see if the Town will vote to transfer from Free Cash, a sum of money for the purpose of balancing the Fiscal Year 2016 Budget, or take any other action relative thereto.

Motion 8: To be made on the floor at Town Meeting Fund.

A motion was made to indefinitely postpone article 8.

Motion to indefinitely postpone passes with a majority vote.

ARTICLE 9

Submitted by: Board of Selectmen

Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

A motion was made that the Town appropriate the sum of \$27,500.00 from the Ambulance Receipts account for the purchase of a computer server and appropriate software to be installed at the Public Safety Building to be used for ambulance billing and fire/police dispatch software.

Action on the motion: Motion passes with a unanimous vote.

ARTICLE 10

A motion was made that the Town transfer the sum of \$68,000.00 from the Ambulance Receipts account for the lease payment for the first year of a four (4) year lease purchase of an ambulance/EMS vehicle for the fire department, and further to authorize appropriate Town officials to enter into a contract for more than three years for such purposes.

Action on the motion: Motion passes with a unanimous vote.

Submitted by: Board of Selectmen
Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

ARTICLE 11

Submitted by: Board of Selectmen

A motion was made that the Town vote to authorize the Board of Selectmen to dispose of surplus property or material, exclusive of buildings and land but including compost, no longer needed by the Town. Action on the motion: Motion passes unanimously.

Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

ARTICLE 12

A motion was made that the Town vote to authorize the Treasurer with the approval of the Board of Selectmen to borrow in anticipation of revenue for the Fiscal Year beginning July 1, 2016 in accordance with provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes with the provisions of General Laws, Chapter 44, Section 17.

Action on the motion: Motion passes unanimously.

Submitted by: Board of Selectmen
Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

ARTICLE 13

Submitted by: Board of Selectmen

A motion was made that the Town vote to transfer the sum of \$41,204.92 from free cash to FY 2016 Town Meeting Line Item #69 (Snow & Ice Expense).

Action on the motion: Motion passes with a unanimous vote.

Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

ARTICLE 14

Submitted by: Community Preservation Committee

A motion was made that the Town vote to appropriate from the Community Preservation Fund 2017 estimated annual revenues the sum of \$17,700 for administrative expenses of the Community Preservation Act Committee for the fiscal year ending June 30, 2017; and further to reserve for future appropriation the following sums recommended by the Community Preservation Committee, with each item to be considered a separate reserve, from FY 2017 Community Preservation estimated revenue:

| | |
|-----------------------------------|-----------------|
| <i>Historic Resources Reserve</i> | <i>\$35,400</i> |
| <i>Community Housing Reserve</i> | <i>\$35,400</i> |
| <i>Open Space Reserve</i> | <i>\$35,400</i> |

Action on the motion: Motion passes unanimously

Board of Selectmen: Recommends Approval
Finance Committee: Recommends Approval

ARTICLE 15

A motion was made that the Town appropriate \$312,500 for the purchase of a parcel of land on Elm Street and Chestnut Street in Seekonk, consisting of approximately 20.55 acres of undeveloped land identified as all of Lot 82 on Seekonk Assessor Map 16, and for all costs incidental and related thereto, and to meet said appropriation, to transfer the sum of \$277,100.00 from the Community Preservation Fund Undesignated Reserve and the sum of \$35,400.00 from the Community Preservation Fund Open Space Reserves; and to authorize the Board of Selectmen to acquire the fee or lesser interest in said land and any related easements by gift, purchase, eminent domain or otherwise for conservation and passive recreation purposes, with the Seekonk Conservation Commission having the care, custody and control of said land under the provisions of MGL Ch. 40, Section 8C; and to authorize the Conservation Commission and the Board of Selectmen to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the LAND grant program under MGL Ch.132A, §11, any other state or federal programs including those in aid of conservation land acquisition and/or any others in any way connected with the scope of this Article; said gifts or grants to be deposited in the Community Preservation Fund; and that the Board of Selectmen be authorized to grant a perpetual conservation restriction on said parcel of land meeting the requirements of M.G.L. Chapter 44B, § 12 and M.G.L. Chapter 184, §§ 31-33, and to further authorize said board and commission to enter into all agreements and execute any and all instruments as may be necessary to affect said purchase.

Action on the motion: Motion passes with a majority vote. (six in opposition)

**Submitted by: Community Preservation Committee
Board of Selectmen: Recommends Approval
Finance Committee: Defers recommendation to Community Preservation Committee**

ARTICLE 16

To see if the Town will raise and appropriate or transfer from available funds the sum of \$1 to pay costs of purchasing a parcel or parcels of land and the building(s) thereon, located at 93 Dexter Street, Seekonk, Massachusetts and more formally described as Assessors' Map, Plat 24, Lot 67, to be used for general municipal purposes including but not limited to municipal cemetery purposes, and to authorize the Board of Selectmen to acquire such property by purchase, gift, or eminent domain and to execute instruments and take such additional action as necessary to carry out the purposes of the vote hereunder, or to take any other action relative thereto.

Town of Seekonk

SPRING TOWN MEETING

Motion 16: *Moved that the Town transfer the sum of \$1 from Free Cash to pay costs of (i) purchasing a parcel or parcels of land and the building(s) thereon, located at 93 Dexter Street, Seekonk, Massachusetts and more formally described as Assessors' Map, Plat 24, Lot 67, to be used for general municipal purposes, including but not limited to municipal cemetery purposes, and to authorize the Board of Selectmen to acquire such property by purchase, gift, or eminent domain and to execute instruments and take such additional action as necessary to carry out the purposes of this vote.*

Submitted by: Board of Selectmen

Board of Selectmen: Recommendation to be made on the floor at Town Meeting
Finance Committee: Recommendation to be made on the floor at Town Meeting

ARTICLE 17

Town of Seekonk

Submitted by: Board of Selectmen

A motion was made that the Town vote, pursuant to M.G.L. c.40, §59, and M.G.L. c.23A, § 3E and §3F, to:

a) *approve a Tax Increment Financing Agreement between the Town and Scannell Properties #254, LLC./FedEx Ground Delaware Corporation in the form substantially as on file with the Town Clerk ("TIF Agreement"), as may be amended by agreement of all parties, for property located 1977 Fall River Avenue and 75 Hollister Road, which property is as described in more detail in such TIF Agreement, and which TIF Agreement provides for real estate tax exemptions at the exemption rate schedule set forth therein; and further*

b) *authorize the Board of Selectmen to execute the TIF Agreement, and approve submission to the Economic Assistance Coordinating Council ("EACC") of the TIF Agreement and "Local Incentive Only Application" for EACC approval, and any necessary documents relating thereto, all relating to the project as described in the TIF Agreement, and to take such actions as are necessary or appropriate to obtain EACC approval, implement those documents and carry out the purpose of this vote. ACTION ON THE MOTION: Motion passes unanimously.*

ARTICLE 18

Jane Howland Place as shown on definitive map entitled "Definitive Subdivision, **Jane Howland Estates Phase E**, Seekonk, Massachusetts, prepared for Mark Dorman and Roy LaCroix, D.B.A. Howland Associates, Inc., by Caputo and Wick, Ltd., dated July 27, 1995" recorded in the Bristol County Northern District Registry of Deeds in Book 349, Page 75.

Submitted by: Board of Selectmen
Board of Selectmen: Recommends Approval
Finance Committee: No Recommendation

A motion was made that the Town vote to accept the layout of the public way known as Jane Howland Place as described in the warrant for this Town Meeting, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain any necessary easements or other interests within said way as so laid out for all purposes for which public ways are used in the Town of Seekonk.

Action on the motion: Motion passes unanimously.

ARTICLE 19

Tall Pines Lane as shown on the Plan of Land entitled "Definitive Subdivision Plan of Land of "Tall Pines" in Seekonk, Massachusetts Prepared for Stone Gate Builders, Inc." dated December 1, 2010, as revised, and recorded at the Bristol County (N.D.) Registry of Deeds in Plan Book 485, Pages 79 & 80.

A motion was made that the Town vote to accept the layout of the public way known as Tall Pines Lane as described in the warrant for this Town Meeting, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain any necessary easements or interests in land within such way as so laid out for all purposes for which public ways are used in the Town of Seekonk.

Action on the motion: Motion passes unanimously

Submitted by: Board of Selectmen

ARTICLE 20

Betty's Way as shown on a Plan of Land entitled "Girard Estates Layout Plan Definitive Subdivision Assessors Map 15 Lot 83 Seekonk Massachusetts" recorded with Bristol County Northern District Registry of Deeds in Plan Book 456, Page 32, which plan was approved by the Planning Board of the Town of Seekonk on January 9, 2007 and revised September 19, 2007 and recorded with the Bristol County Northern District Registry of Deeds in Plan Book 467 Page 50-51.

A motion was made that the Town vote to accept the layout of the public way known as Betty's Way as described in the warrant for this Town Meeting, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain any necessary easements or interests in land within said way as so laid out for all purposes for which public ways are used in the Town of Seekonk.

Action on the motion: Motion passes unanimously

ARTICLE 21

To see if the Town will vote to amend the Seekonk Zoning By-Laws, as set forth below and lettered, for convenience, A through DD, with text to be deleted indicated by ~~strikethrough~~ text and text to be inserted indicated by underline, or take any other action relative thereto:

A. Table of Contents. Amend the **Table of Contents** as follows:

6.4 ~~Groundwater Aquifer Protection~~ Water Resource Protection District..... 45 to the existing Table of Contents

B. Section 1.3 Definitions. Amend **Section 1.3 Definitions Agriculture**, as follows:

AGRICULTURE: Except as otherwise defined for an agricultural use that satisfies the requirements for eligibility for the agricultural exemption provided for under G.L. c.40A, §3, the term "agriculture" shall mean the following: Farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses

as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, animal husbandry in any form, and...

C. Section 1.3 Definitions. Amend **Section 1.3 Definitions AUTO SERVICE STATION**, as follows:

AUTO SERVICE STATION: Any commercial building or structure, premises or other place used to support or sell motor fuels (including alternative fuels such as natural gas or hydrogen) except for gas or fueling stations as defined herein, lubricants, tires, batteries, and other small accessories to motor vehicles. Automobile maintenance is permitted in conjunction with a service station.

D. Section 1.3 Definitions. Amend **Section 1.3 Definitions GAS OR FUELING STATION**, as follows:

GAS OR FUELING STATION: See Auto Service Station. Any commercial building or structure, premises or other place used to support or sell motor fuels (including alternative fuels such as natural gas or hydrogen) in conjunction with a retail sales operation except for Auto Service Stations as defined herein. Automobile maintenance is not permitted in conjunction with a Gas or Fueling Station.

E. Section 1.3 Definitions. Amend **Section 1.3 Definitions LOT LINE**, as follows:

LOT LINE: A line of record, bounding a lot, which divides one lot from another lot or from a public or private street or any other public or private space and shall include:

- (a) **Front:** any lot line separating a lot from a street right-of-way;
- (b) **Rear:** the lot line opposite and most distant from the front lot line, or in the case of triangular or otherwise irregularly shaped lots, an assumed line at least ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line; and
- (c) **Side:** any lot line other than a front or rear lot line. On a corner lot, or irregularly shaped lot, there may be more than one front lot line, and consequently, more than one rear lot line.

F. Section 1.3 Definitions. Amend **Section 1.3 Definitions VARIANCE**, as follows:

VARIANCE: A variance is a relaxation of the terms of these Zoning By-laws where such variance will not be contrary to the public interest or nullify or substantially derogate from the intent of these Zoning By-laws and where, owing to circumstances relating to the soil conditions, shape, or topography of such land or structures but not affecting generally the zoning district in which it is located ...

G. Section 1.3 Definitions. Amend **Section 1.3 Definitions NONCONFORMING USE/STRUCTURE**, as follows:

NONCONFORMING USE/STRUCTURE: Any lawful building or structure or any lawful use of land, building, or a structure which is not an authorized a permitted use, by right or special permit, or does not meet one or more of the dimensional requirements in the district in which it is located by virtue of the adoption or subsequent amendment of these By-Laws is a nonconforming use or structure and shall be subject to Section 4.3 Nonconforming Uses and Structures.

H. Section 2.1.2 Powers. Amend **Section 2.1.2** by deleting the second paragraph as follows:

2.1.2.1 Any building permit so authorized and issued shall be conditioned on, among other things, the applicant's completed building and installations in operation being in conformity with the applicable performance standards of these Zoning By-laws.

I. Section 2.1.3 Appeals Procedure, Paragraph 4. Amend **Section 2.1.3 Appeals Procedure, Paragraph 4** as follows:

Section 2.1.3 Appeals Procedure, Paragraph 4

“... The Board shall cause to be made a detailed record of its proceedings, indicating the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and setting forth ~~clearing~~ clearly the reason or reasons for its decision and of its official actions, and notice of the decision shall be mailed forthwith to the petitioner, applicant or appellant, to the parties in interest designated in Section 2.3.1 2.4.1 and to every person present at the hearing who requested that notice be sent to him and stated the address to which such notice was to be sent...”

J. Section 2.8 Site Plan Review. Amend **Section 2.8.5 Procedure, Paragraph 3** as follows:

Section 2.8.5 Procedure Paragraph 3

Prior to the issuance of a building permit for a project to which site plan review is applicable, a site plan shall be submitted to the Planning Board for review for compliance with these Zoning By-Laws. Such a building permit shall not be issued without either an approved site 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 default approval as follows. If the Planning Board does not act to reject such plan within ~~sixty~~ (60) ninety (90) consecutive days after receipt of a completed application, it shall be deemed to be acceptable and the site plan shall be signed “Approved by Default” by the Town Clerk.

K. Section 3.1 Classification of Districts. Amend **Section 3.1 Classification of Districts** as follows:

10. ~~Continuing Care Residency Campus Overlay District~~ Medical Marijuana Overlay District

11. ~~Medical Marijuana Overlay District~~ Continuing Care Residency Campus Overlay District

L. Section 4 USE REGULATIONS. Amend **Section 4.1 Base Zoning Districts** as follows:

4.1.1 Residence Districts

The Residence Districts are intended for typical residential uses and non-commercial uses. Please see Section 4.2 for the allowed uses as well as Section 5.1.4 for the dimensional standards for the Residence Districts.

4.1.1.1 Residence “R-1” District

This district represents older or otherwise well-established residential areas within the community.

4.1.1.1-2 Residence “R-2” District

This district represents residential areas of moderate density within the community.

4.1.1.2-3 Residence “R-3” District

This district represents residential areas of low density within the community.

4.1.1.3-4 Residence “R-4” District

This district represents rural residential areas within the community, which are characterized by scenic roadways, agricultural uses, sparse residential development, preserved land, and large recreational uses.

M. Section 4 USE REGULATIONS. Amend **Section 4.2 Use Table** as follows:

| Principal Uses (unless specified otherwise) | Business Districts | | | Industrial District |
|---|--------------------|-----|--------------------|--------------------------|
| | LBD | HBD | LCVD | I |
| Business and Commercial Uses | | | | |
| 1. Offices ¹ | | | | |
| a. Under 2,000 square feet | Y | Y | Y | <u>SP</u> Y ² |
| b. Equal to or over 2,000 square feet, but less than 25,000 square feet | Y | Y | <u>N</u> <u>SP</u> | <u>SP</u> Y ² |
| c. Equal to or over 25,000 square feet | Y | Y | N | SP ² |

N. Section 4 USE REGULATIONS. Amend **Section 4.2 Use Table** as follows:

| Principal Uses (unless specified otherwise) | Business Districts | | | Industrial District |
|---|--------------------|----------|-----------|------------------------|
| | LBD | HBD | LCVD | I |
| 11. Auto service stations ⁷ | N | Y | N | SP ² |
| 11a. Gas or Fueling Station ⁷ | <u>SP</u> | <u>Y</u> | <u>SP</u> | <u>SP</u> ² |

O. Section 5 DIMENSIONAL REGULATIONS. Amend **Section 5.1.4 Dimensional Table** as follows:

| District | Minimum Lot Area (Square Feet) |
|------------------|--------------------------------|
| R-1 ³ | 14,400 ⁵ |

P. Section 5 DIMENSIONAL REGULATIONS. Amend **Section 5.1.4 Dimensional Table** as follows:

| District | Minimum Lot Area (Square Feet) ¹² | Maximum Lot Coverage (%) ¹² |
|----------|--|--|
| | | |

¹² For lots within the Water Resource Protection District see Section 6.4 for additional dimensional requirements.

Q. Section 5 DIMENSIONAL REGULATIONS. Amend **Section 5.1.4 Dimensional Table** as follows:

| District | Minimum Lot Area (Square Feet) |
|----------|--------------------------------|
| LBD | 10,000 |

| | |
|------|---------------|
| HBD | <u>10,000</u> |
| LCVD | <u>10,000</u> |

R. Section 5 DIMENSIONAL REGULATIONS. Amend **Section 5.1.4 Dimensional Table** as follows:

| | |
|----------|--|
| District | Minimum Depth of Front Yard/ Corner Side Yard (feet) ² |
| LBD | <u>50/50 10/10^{6,7}</u> |

S. Section 6 OVERLAY AND SPECIAL DISTRICTS. Amend **Section 6.4 Water Resource Protection District** as follows:

6.4.4.3.2.i All lots in WRPD APZ shall have an area not less than 60,000 square feet with the exception of lots created through approval of an application submitted pursuant to Section 9.2 Conservation Subdivision Design. An overall density of 1 dwelling unit per 60,000 square feet of area, exclusive of area dedicated for public roadways, shall be provided for in any such conservation subdivision within the WRPD APZ.

T. Section 6 OVERLAY AND SPECIAL DISTRICTS. Amend **Section 6.4.9 Administration** as follows:

6.4.9.2 The development of each lot within this WRPD shall conform to the area, yard, and other regulations of the underlying zone, the more restrictive being applied. Where this section conflicts with the intent, purpose, or administration of other sections of these By- Laws, in particular **Section 9.2 6.2 Wetland and Floodplains**, the more restrictive regulation shall apply.

U. Section 6 OVERLAY AND SPECIAL DISTRICTS. Amend **Section 6.4.9 Administration** as follows:

6.4.9.3 Submittal requirements of a site plan shall, at a minimum, be in accordance with **Section 9.2.4.1 6.2.4** of these By-laws, and Subdivision Rules and Regulations, when necessary.

V. Section 6 OVERLAY AND SPECIAL DISTRICTS. Amend **Section 6.6 Multifamily Development Overlay District** as follows:

Section 6.6.9 Decision

The Planning Board shall render its decision regarding the site plan within (60)120 days of the date of the application, which such deadline may only be extended by agreement in writing. If no extension is agreed upon and no decision is rendered within 60-120 days, the application will be considered and deemed to have been approved. Such decisions (or a certification that no decision has been timely made) shall be filed with the office of the Town Clerk. Site plans will be accepted for review immediately following the passage of this zone change adoption or modification by Town meeting of the boundaries of the MDOD and the 60 120 day

time period will start immediately upon submission of ~~these plans~~ a complete application in compliance with the requirements of this section. Site plan approval for a MDP shall be granted upon determination by the Planning Board that new building construction or other site alteration satisfies all of the following objectives:...

W. Section 6 OVERLAY AND SPECIAL DISTRICTS. Amend **Section 6.8 Solar Photovoltaic Overlay District** as follows:

6.8.5.4 Procedure (third paragraph)

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) one hundred and twenty(120) days~~ after receipt of a completed application, or obtain a written agreement to extend the review period, it shall be deemed to be acceptable and the plan shall be signed "Approved by Default" by the Town Clerk.

X. Section 8 Development and Design Standards. Amend **Section 8.1 Parking** as follows:

Parking Space Schedule

| Land Use | Minimum | Maximum |
|---|---------------------|-----------------------|
| Residential Use subject to site plan review | 2 per dwelling unit | 2.5 per dwelling unit |

Y. Section 8 Development and Design Standards. Amend **Section 8.1 Parking** as follows:

Section 8.1.12.11 "Parking surface(s) shall be as may be approved by the Planning Board."

Z. Section 8 Development and Design Standards. Amend **Section 8.6 Buildings** as follows:

8.6.1 Architectural Guidelines

The design of proposed buildings, structures and additions shall complement, whenever feasible, the general setback, roof line, arrangement of openings, color, exterior materials, proportion and scale of existing buildings in the vicinity. Developments in the Luther's Corner Village District, Local business District and Mixed use Overlay district shall conform to the provisions of Section 8.11 below.

AA. Section 8 Development and Design Standards. Amend **Section 8.8 Signs** as follows:

8.8.4.4 The top edge of any free-standing sign in the Industrial and Highway Business zoning districts shall not be higher than twenty-five (25) feet vertical measured above the average level of the ground between the supports of each sign exclusive of base planters. The top edge of any free-standing sign in the Local Business, Mixed Use Overlay and Luther's Corner Village zoning districts shall not be higher than fifteen (15) feet vertical measured above the average level of the ground between the supports of each sign exclusive of base planters.

BB. Section 8 Development and Design Standards. Amend **Section 8.9 Kennels** as follows:

8.9.2 Drainage: Adequate drainage that conforms with Section 8.2.3 8.3 Drainage of these zoning bylaws must be provided for all kennels regardless of size.

CC. Section 8 Development and Design Standards. Amend **8.11 Additional Site Plan Standards for the Luther's Corners Village District** as follows:

8.11 Additional Site Plan Standards for the Local Business District, Mixed Use Overlay District, and Luther's Corners Village District.

DD. Section 9.2 Conservation Subdivision Design. Amend Section **9.2.9 Access to Lots** as follows:

9.2.9 Access to Lots

Lots within a Conservation Subdivision may only be accessed from roads within the subdivision except as may be authorized by the Planning Board pursuant to Section 7.2.1.3 of the Rules and Regulations governing the Subdivision of Land in the Town of Seekonk.

A motion was made that the Town amend the Zoning Bylaws of the Town of Seekonk, Massachusetts as presented in this warrant for Town Meeting.

Action on the motion: Motion passes with 165 approving and 1 opposing.

Submitted by: Planning Board
Board of Selectmen: Recommends Approval
Finance Committee: Defers to Planning Board for recommendation

ARTICLE 22

A motion was made to see if the Town of Seekonk will vote to authorize our state representatives to ask the Massachusetts State Legislature vote to allow Seekonk to hold an election for the purpose of voting to seat a charter commission for the purpose of studying the Seekonk Charter and make any recommendations for changes and to elect nine (9) people to the charter commission. The commission will have no longer than 18 months to return a report to the residents of Seekonk any and all suggested changes, for the purpose of having those suggested changes voted on by town meeting.

Action on the motion: Motion passes with 62 approving and 38 disapproving.

Submitted by: Voter Petition

ARTICLE 23

A motion was made to see if the town of Seekonk will vote to amend the Home Rule Charter of Seekonk, Massachusetts by changing Article 6 Section 2 (1) Town Administrator Qualification and Duties, to read "The

Board of Selectmen after conferring with the Director of Finance, will set goals for negotiation of all contracts involving any subject within their jurisdiction. The Town Administrator will conduct negotiations. A member of the Board of Selectmen may be present. All such contracts that may be proposed shall be subject to final approval and execution by the Board of Selectmen. The Board of selectmen may authorize the Town Administrator to execute any such approved contract on behalf of the town. The Town Administrator shall be included in the negotiations for the School Department to the extent required by statute."

Action on the motion: Motion fails to get a 2/3 vote.

Submitted by: Voter Petition

ARTICLE 24

A motion was made to change Article 4, Section 2 Special Provisions under Moderator from Current description: The moderator elected under this article shall have the power to appoint (A) a Finance Committee as provided in Article 7 hereof: (B) Three (3) members of Capital Improvement Committee and (C) members of "ad hoc" committees as may be authorized from time to time by town meeting.

Shall Read

The moderator elected under this article shall have the power to appoint, In conjunction with one (1) member of the Board of Selectmen and the current committee chairman of the committee to which a person(s) is being appointed to "In the event a chairman doesn't exist then the appointment will be made in conjunction with two members of the Board of Selectmen. (A) a Finance Committee as provided in article 7 hereof; (B) Three (3) members of the Capital Improvement Committee and (C) members of "ad Hoc" committees as may be authorized from time to time by a town meeting.

Action on the motion: Motion was ruled out of order by the Moderator and Town Counsel as their was no reference to the charter in the article.

Submitted by: Voter Petition

ARTICLE 25

A motion was made to Amend Article 6 Section 6

Article 6 Section 6

To see if the Town of Seekonk will vote to amend the Home Rule Charter of Seekonk, Massachusetts by adding: The Town Administrator will review talent bank forms submitted for the following offices with the chairman of department and one (1) member of the Board of Selectmen and submit his recommendation (may be up to three (3) of the most qualified candidates) to the Board of Selectmen for approval" The Board of Selectmen may present names of other possible candidates.

Zoning Board of Appeals

Board of Health

Board of Registrars (other than town clerk)

Parks & Recreation committee

Human Services Council

Conservation Commission

Arts Council Commission

Historical Commission

Recycling Committee

Capital Improvement Committee

The town administrator shall recommend the appointment of the following town offices to the board of selectmen for approval: Police Chief, Fire Chief, Superintendent of Public Works, Building Inspector, Zoning Officer, Town Treasurer/Town Collector, Human Services Director, Communications Director, Veterans Agent, Animal Control Officer, Parks & Recreation Director, Emergency Management Director, Sealer of Weights and Measures, Plumbing Inspector, Gas Inspector, Electrical Inspector, Mechanical Inspector, Director of Finance and any other position of the level of department head under the jurisdiction of the Board of Selectmen

Action on the motion: Motion fails to get 2/3 vote.

Submitted by: Voter Petition

A motion was made to dissolve the meeting at 11:30 PM.

Motion passes with a majority vote.

And you are hereby directed to serve this Warrant by posting attested copies as required by law and vote of the Town.

Hereof fail not and make return of the Warrant with your doings thereon to the Town Clerk at or before the time of said Meeting.

GIVEN UNDER OUR HANDS ON THIS 20TH DAY OF APRIL 2016.

Seekonk Board of Selectmen

David J. Andrade, Chairman

David S. Parker, Vice Chairman

David F. Viera, Clerk

Nelson Almeida, Member

Michelle A. Hines, Member

A True Copy Attest: _____

Date: _____

Constable