Planning Board
Seekonk Town Hall
Planning Board Meeting Room
100 Peck Street, Seekonk, MA 02771
1-508-336-2961
AGENDA

January 12, 2021
Virtual Meeting Room
7:00 p.m.

January 21, 2021
Virtual Meeting Room
7:00 p.m.

Type of Meeting: Public Hearing, Regular Meeting, and Work Session

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

Meeting participation information can be found on:
http://www.seekonk-ma.gov/planning-board

Public Hearing:


2. (PLAT-000083-2020) The Definitive Subdivision application of Randy Pardini for the development of a 1-lot subdivision entitled "Brody Way" located at 0 Oak Hill Avenue being AP 34, Lot 392 in an R-1 Zoning District.

Regular Meeting:


2. (SPL2020-00017) Site Plan application of Seekonk Realty Ventures, LLC, for proposed site redevelopment and improvement of the portions of the existing easement to accommodate the construction of a fast-food restaurant with a drive-thru window at 1151 Fall River Ave, AP 7, Lots 82 & 81 in a Highway Business Zoning District. Continued from December 8, 2020.

3. Setting of Surety for the definitive subdivision named Pine Brook Court located at 0,224,250 Arcade Avenue being AP 21, Lot 18, 277, 305 in an R-2 Zoning District.

Work Session:

Town Planner Monthly Report
Discussion: Legal boundaries of a Planning Board in regard to preserving resources on a site.
Planning Board member reports
Discussion of Board Training

Adjournment

The Board shall not take any new agenda items after 10:00 PM absent a vote to do so by the majority of the Planning Board then sitting.
MEMORANDUM

Date: January 12, 2021  
To: Seekonk Planning Board  
From: John J. Aubin III, Town Planner  
Re: Subdivision Application of Narragansett Capital, LLC for “Magnolia Court” for proposed 10-lot residential of land located at 43 Walker Street being AP 24, Lot 628 in an R-2 Zoning District.

By way of update, subsequent to the November 24, 2020 Planning Board meeting, this office convened a number of meetings with the applicant, their representatives, the peer review engineer, and the Department of Public Works to review the profile of the proposed roadway relative to the applicant’s requested waiver to allow for a super elevated roadway. A follow up meeting between the peer review engineering firm WSP, the Department of Public Works and this office is scheduled for Thursday January 7, 2021 with the intent of finalizing the peer review engineer’s recommendations on the outstanding issue of the roadway profile. Subsequent to that meeting this office will coordinate with the project engineer to present a final proposed roadway profile (superelevated or crowned) to the Planning Board. Also attached please find the letter that was requested to be sent to the owner of the parcel by the Planning Board.

Thank you.

Should you required additional copies of any previously provided application materials please contact the Office of Planning and Zoning.
December 15, 2020

Richard F. Savignano
Virginia H. Adams
43 Walker Street
Seekonk, MA 02771

RE: Magnolia Court, Walker Street

Dear Mr. Savignano and Mrs. Adams,

I am writing on behalf of the Seekonk Planning Board to thank you for your recent correspondence and to invite you to participate in the Planning Board’s continued review of the Magnolia Court Definitive Subdivision. The Planning Board appreciates and accepts all input from any interested parties in reviewing the applications before them and your perspective as the owner of the parcel in question is particularly valued. The Public Hearing on this matter has been continued to the Planning Board’s January 12, 2021 meeting. Should you wish to participate in the meeting which will be conducted virtually via Zoom; you may find the directions for registering to access the meeting on the Planning Board’s page on the town website: seekonk-ma.gov. Should you have any questions or require any assistance please contact the Office of Planning and Zoning at (508) 336-2961 or alternately you may contact me via email at: jaubin@seekonk-ma.gov. Thank you again and have a happy and safe Holiday Season.

Sincerely,

John J. Aubin III
Town Planner
Town of Seekonk
TO: Planning Board
FROM: John J. Aubin III, Town Planner
RE: Application of Randy Pardini for definitive plan approval for the Brody Way, 1 lot subdivision of land located at 0 Oak Hill Avenue, being AP 34, lot 392 located in the R-1 zoning district.

APPLICANT: Randy Pardini
OWNER: John Pardini
LOCATION: 0 Oak Hill Avenue AP 34, lots 392
REQUESTED ACTION: Public hearing on definitive plan for a proposed 1 lot subdivision of land.

APPLICABLE REGULATIONS:
1. SECTION V DEFINITIVE PLAN
2. SECTION VI PERFORMACE GUARANTEE
3. SECTION VII DESIGN STANDARDS
   - Section 7.1 General
4. SECTION VIII CONSTRUCTION OF WAYS AND INSTALLATION OF UTILITIES
5. SECTION IX ADMINISTRATION

ANALYSIS:
The applicant is before the Planning Board for a public hearing on a requested definitive plan review of a one (1) lot definitive subdivision submitted in accordance with Section V Definitive Plan. On July 14, 2020, the Planning Board reviewed a conceptual plan of the proposed 1 lot definitive subdivision. At that time there was a general consensus among the board members that a 1 lot definitive subdivision was appropriate in this situation. No formal vote on the proposal was taken during the conceptual review. The relevant portion of the minutes of the July 14th meeting are attached.

The applicant seeks definitive subdivision approval in order to develop one house lot on the existing AP 34, lot 392, which currently has 42 feet of frontage. The proposed access road “Brody Way” is intended to provide the 100 feet frontage required in the R-1 zoning district for the proposed lot. As the proposed roadway will service only the proposed single lot and would not provide potential access to any additional
developable land, it is not expected that the roadway would be presented for acceptance as a public street. Maintenance of the proposed Brody Way would be the responsibility of the homeowner. Should any application be made to accept Brody Way as a public street this office would not recommend such acceptance. The proposed lot is intended to be served by an on-site septic system as well as public water, gas and electric connections to those utilities from Oak Hill Avenue.

The site is currently undeveloped with a mix of mature deciduous vegetation with a wetlands complex located on the rear portion of the property. The development in the surrounding area consists of primarily single-family residences with some commercial and industrial uses located along and to the rear of Oak Hill Avenue (in Attleboro). The former Boston and Providence Railroad Corporation Branch line, currently owned by the Massachusetts Bay Transportation Authority directly abuts the parcel to the east. A site inspection was conducted by this office and the inspection report and existing conditions photographs are attached.

The application and submitted plans have been forwarded for departmental review and the application is scheduled to be reviewed by the TRC on January 29, 2021. The conceptual plan was reviewed by the TRC in June 2020 with comments focusing on the need for Conservation Commission review, requirements of the NFPA with regard to the proposed roadway as it would be classified as a fire access road, and design of the proposed hammerhead turn around. Staff comments generated by the instant review are consistent with the June 2020 review. The intent of the upcoming January TRC review would be to finalize any outstanding details before execution and recordation of the definitive subdivision plan should the Planning Board deem it appropriate to approve the instant application.

A substantial list of specified waivers has been submitted by the applicant due to the fact that the application and proposed improvements are private in nature and intended to service only the proposed single-family dwelling with no potential for future use of the access drive as a public street, as noted above. It is respectfully requested the Planning Board reviewed the requested waivers and make such findings to grant, deny or modify the waivers in accordance with those findings. This office has no objection to the requested waivers related to roadway design as the proposed roadway will serve only the proposed house lot so long as the fire access road requirements of the NFPA are met. However, the Planning Board should confirm the area of disturbance resulting from the proposed development to with regard to the requested waiver from Section 5.5 of the Rules and Regulations Governing the Subdivision of Land in Seekonk Massachusetts as that section incorporates Category 20C – Stormwater Management of the Seekonk General By-laws which requires submission of a Stormwater Management Plan and Operations and Maintenance Plan for projects where the area of disturbance is greater than 1 acre and does not contain a waiver provision.

It is respectfully requested that the Planning Board make the follow findings of facts with regard to the proposed development based on the evidence presented by the applicant:
- Pursuant to **Section V** that the applicant has met the requirements for the grant of a Certificate of Approval for the proposed Definitive Plan.

- Pursuant to **Section 7.1 General**, that the proposed development, as designed and laid out, meets the requirements of public safety including:
  1. Safe vehicular travel;
  2. Adequate storm drainage;
  3. Sewage disposal;
  4. Water supply;
  5. Utilities; and
  6. Precautions against natural disaster

- That the proposed Definitive Plan otherwise meets the requirements of the **Rules and Regulations Governing the Subdivision of Land in Seekonk Massachusetts** and **Sections 81k through 81GG of Chapter 41 of the General Law**.

The following conditions are recommended should the Planning Board deem approval of the application appropriate:

1. Final Board of Health approval of the proposed wastewater treatment systems;
2. Final approval as applicable by the Seekonk Conservation Commission and submission of a final definitive subdivision plan consistent with any such approval issued by that body;
3. The proposed access drive and emergency vehicle turn around shall conform to the applicable NFPA standards for emergency vehicle access;
4. Final approval of all proposed utility extensions by the Seekonk Water District (as applicable), Columbia Gas, National Grid and any other utility provider as appropriate;
5. Lot 2 as shown on the final definitive subdivision plan shall be labeled “Not for Development”.
6. A street sign shall be placed at the intersection of Oak Hill Avenue and Brody Way identifying the proposed drive.
7. The applicant’s engineer shall submit a final revised plan for endorsement upon completion of all other pending staff and resolution of any identified comments;
8. Any such other conditions the Planning Board may deem necessary to ensure compliance of the application with the applicable provisions of the **Rules and Regulations Governing the Subdivision of Land in the Town of Seekonk**.
December 16, 2020

To: John Aubin
Seekonk Planning Department
Town of Seekonk
Seekonk, MA 02771

From: Mark Mariano, PE CPO
Oakhill Engineering LLC
75 Oak Hill Ave; 2nd Floor
Seekonk, MA 02771

Cover Letter: Definitive Subdivision: Brody Way

Please find the attached package for the proposed definitive subdivision of the current lot "0 Oak Hill Ave, Map 34, Lot 392.

The proposed subdivision will only serve (1) single family home. The right of way will establish frontage for the future lot.

We are requesting various waivers for the proposed subdivision. Given the subdivision will service only one single family home, the proposed roadway will meet the requirements of a fire access road. Maintenance of the fire access roadway will be the responsibility of the future home owner.

Please find the attached submission.

If you have any questions, please feel free to contact me at 401-574-0871, or by email at Mark4026@gmail.com

Sincerely

Mark Mariano, PE CPO
Principal
APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

Date: 12/20/20

Applicant Name: Randy Pardini

Address: 191 Hebron Ave, Seekonk, MA 02771

Phone No.: 508-509-9519

Plat No.: 34  Lot No.: 392  Present Zoning: R-1

1. Deed of property recorded in Bristol County Registry, Book: 24435  Page: 284

2. Name of Engineer or Surveyor: Mark Mariano - Oak Hill Engineering  Mass Lic. No.: 51945

Address: 75 Oak Hill Ave, Seekonk MA 02771

3. Location and Legal Description of Property (Include Public and Private Ways Bounding Property)
   0 Oak Hill Ave, Map: 34, Lot: 392.

Checklist Form C:

☒ Application Form (2x)
   Please note: both copies must be originals, 1 copy for Planning, 1 copy for Town Clerk

☒ Application fee with current Preliminary plan $500 per subdivision and $250 per proposed lot.
   Current Preliminary Plan approval date: __________________________
   Ck# ____________ (payable to the Town of Seekonk)

☒ Application fee without Preliminary Plan $800 per subdivision and $250 per proposed lot,
   Ck# 773 (payable to the Town of Seekonk)

☒ Certificate of Good Standing, completed and signed by Tax Collector.

☒ One copy of “Certified List of Abutters” Form G and the original drawing of the
   Definitive Plan

☒ Plans received in CD or DVD format after approval
   *(both .PDF & .DWG format electronic files required)

DEC 21, 2020 PM 10:52
Consultant Review Fees – check made payable to the Town of Seekonk – fee to be determined after submission of application. Payment must be received prior to review (submission complete once received)

Inspection Fees – check made payable to the Town of Seekonk – fee to be determined after submission of application. Payment must be received prior to endorsement of Subdivision Plan

Plans received (11) prints, (1) 11” X 17” (see 5.3 of Rules & Regulations) Six (6) upon approval and (1) Mylar.

Stormwater Management Plan and Erosion & Sedimentation Control Plan – per Massachusetts Stormwater Standards as stated in DEP Stormwater Management Handbook Volumes 1 & 2; and Categories 20B and 20C of the Seekonk Town By-laws. Applicant responsible for forwarding (1) copy of Plans and Drainage Report to Consulting and Inspecting Engineers. Planning Office will advise who the Consulting & Inspecting Engineers are once application is received.

List of all requested waiver from the Rules/Regulations Governing the Subdivision of Land in the Town of Seekonk

To the Planning Board:

The undersigned hereby applies for the approval of said DEFINITIVE PLAN by the Board, and in furtherance thereof hereby agrees to abide by the Board’s Rules and Regulations. The undersigned hereby further covenants and agrees with the Town of Seekonk, upon the approval of said DEFINITIVE PLAN by the Board.

Received by Planning Board or Town Clerk:

Applicant:

*Signature of Applicant

Print Name

Address of Applicant

Owner:

*Signature of Owner or Notarized letter (if applicable)

Print Name

Address of Owner

*Please use blue pen to sign
December 16, 2020

To: John Aubin  
Seekonk Planning Department  
Town of Seekonk  
Seekonk, MA 02771

From: Mark Mariano, PE CPO  
Oakhill Engineering LLC  
75 Oak Hill Ave; 2nd Floor  
Seekonk, MA 02771

Subdivision Waiver Request: Brody Way

Please find the below waiver request and justification for the requested waiver request. The waiver requests are based upon the “Rules and Regulations Governing the Subdivision of Land in Seekonk, Massachusetts”, latest edition August 14, 2018.

1. 5.5 – Runoff Control
   
   Response: Project will only serve a single-family home.

2. 5.6 – Environmental Impact Statement
   
   Response: Project will only serve a single-family home in a developed area. Current proposed use will be identical to surrounding properties.

3. 6.2 – Bonds or Security
   
   Response: Project will only serve a single-family home. The proposed fire access road, in the right of way will be maintained by the owner of the single-family home.

4. 7.2 – Streets
   
   Response: Proposed subdivision will only service (1) single family home. We will be providing the required fire access road per the requirements of single family homes set further than 150 FT from edge of right away.

5. 7.3 – Sidewalks
   
   Response: We request a waiver for sidewalks. The subdivision will only serve a single-family home. Roadway will only be to the standards of a file access road.
6.  7.4 Easements

Response: Project is configured where no further development could occur due to environmental constraints.

7.  7.6 Storm Drainage System

Response: Project will only serve one single family home.

8.  7.7 Open Spaces

Response: Project will only serve one single family home.

9.  7.8 Protection of Natural Features:

Response: Project will only serve one single family home

10. 8.2 Utilities

Response: Project will only serve one single family home.

11. 8.3.1 Fire Alarm Box

Response: Project will only serve one single family home.

12. 8.3.2 Individual Sprinkler System

Response: Project will only serve one single family home.

13. 8.3.3 Fire Safety Fee

Response: Project will only serve one single family home.

14. 8.4 Drainage

Response: Project will only serve one single family home.

15. 8.5 Street and Roadway

Response: Project will only serve one single family home.

16. 8.6 – Curbing

Response: Subdivision serves only (1) single family home. Roadway will only be a fire access road.
17. 8.7 Sidewalks
Response: Project will only serve one single family home.

18. 8.8 Bikeways
Response: Project will only serve one single family home.

19. 8.9 Monuments
Response: Project will only serve one single family home.

20. 8.10 Street Signs
Response: Project will only serve one single family home.

21. 8.11 Loam and Seed
Response: Project will only serve one single family home.

22. 8.12 Shade Trees
Response: Project will only serve one single family home.

23. 8.13 As Built Plan
Response: Project will only serve one single family home.

If you have any questions, please feel free to contact me at 401-574-0871, or by email at Mark4026@gmail.com

Sincerely

Mark Mariano, PE CPO
Principal
Agenda item 3:
Conceptual Pre-application Discussion with Randy Pardini of potential 1-lot definitive subdivision located at 0 Oak Hill Avenue being AP 39 lot 392.

M. Bourque disclosed to the board that the applicant was a relative of his and that he had no personal or financial gain in the hearing of the petition. The Board allowed M. Bourque to stay for the discussion.

J. Aubin stated that the applicant requested the conceptual discussion to view and provide some options for the request of a 1-lot subdivision. The lot in question is a remainder lot based off an ANR submission from 2019 that was endorsed by the Planning Board. The proposed lot contains about 42’ of frontage with a proposed drive that will include a hammerhead turnaround. There is a drainage easement that takes runoff from Oak Hill Avenue and dispenses it to the rear of the property. The rear portion of the property does contain wetlands. The applicant could request a special permit through the Zoning Board of Appeals to develop a non-conforming lot or create the roadway to access the property and the proposed drive would act as the frontage.

Rachel Smith with E. Otis Dyer was present for the applicants. She stated that the applicant is just looking into the options. Most of the frontage was used for the prior ANR plan. Because of the location of the lot and the size, there are not many options for the property owner.

P. Lee stated that she was uncomfortable that the lot would only have 42’ of frontage.

Ch. D. Sullivan stated that the applicant is proposing that 42’ be the proposed road for the drive way to access the lot further in the back that would give the required frontage.

M. Bourque asked if the split-rail fences used for wetland conservation would be placed at the 100’ buffer line on the property. R. Smith stated that typically Conservation does not place the fencing at the buffer line, but rather it would be placed at the wetlands or at the 25’ buffer line.

Ch. D. Sullivan asked if any typographical plans were drawn up for the property.

R. Smith stated there hasn’t been anything done on the site yet. There are parts of the property that do drop down slightly.

Ch. D. Sullivan stated he did not see an issue with the proposed plan and if it was done this way other departments will get involved. He said he would rather see it done this way so that the Planning Board can have a say in the development. He hoped the consensus of the Board was to advise the applicant to move forward with the submission of a Definitive Subdivision Plan.

M. Bourque asked if the drive would be a private driveway or if it would be turned over to the Town.

J. Aubin stated that it would most likely remain a private drive; it would be named and constructed as a fire access road similar to the County Street 1-lot subdivision.

R. Smith stated that the applicant was aware that the driveway would be built to a higher standard that is required for the request.

There was discussion from the Board in regard to the hammerhead layout of the drive way. The plan would need to be submitted to the Fire Department for review and possible change to a cul-de-sac layout to allow access for the Fire apparatus. The TRC also mentioned their hope if the hammerhead remains on the plan is that there would not be parking along the drive way and a standard drive way lead up to the
house. Parking for the single-family house should be off the roadway. The applicant will look into the details further before submitting a finalized plan.

There was a general consensus of the Board to let the applicant move forward with the submission for the 1-lot subdivision.
12/22/20: NOI filed w/ Conservation; continued to Jan 11th hearing pending plan revisions

J. Miller Conservation
NFPA states that the fire lane access up to 150 feet is required to be 20 feet any distance over that would have to be 25 feet also the weight capacity of such lane would have to be constructed to support 75,000 lb, with a minimum height clearance of 13 ' 6" also the lane must allow the apparatus to get within 150' feet of each side of the structure.

N. Abelson - Building
Aubin-Town Planner

Proposed roadway is not intended to be a public street for emergency vehicle access.

Public Safety should review and certify the proposed hampered turn around is adequate.

Conservation Commission Review/approval required.

Note: Requested waivers for Proposed Lot Subdivision

Lot 2 should be labeled "not for development"
Town of Seekonk, MA
July 8, 2020

0 Oak Hill Avenue Area View

Property Information

Property ID 265/034.0-0000-0392.0
Location 0 OAK HILL AVE
Owner PARDINI, JONATHAN S

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Seekonk, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 6/1/2018
Data updated 6/1/2018
0 Oak Hill Avenue Existing Conditions

Property Information

Property ID: 265/034.0-0000-0392.0
Location: 0 OAK HILL AVE
Owner: PARDINI, JONATHAN S

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Seekonk, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 6/1/2018
Data updated 6/1/2018
CERTIFIED LIST OF ABUTTERS – FORM G

(Please allow 7-10 Business days to complete)

☐ PLANNING BOARD 508-336-2961
☐ ZONING BOARD OF APPEALS 508-336-2961
☒ CONSERVATION 508-336-2944
☐ OTHER

Date: 11/05/20

Applicant Name: OAKHILL ENGINEERING

Applicant Address: 75 Oak Hill Ave, Seekonk MA 02771

Phone No.: 401-574-0871

*Signature of Applicant/Contact Person:

Subject Property Address: 0 Oak Hill Ave

Present Zoning: R - 1 Plat No: 34 Lot No: 392

Property Owner Name: Johnathan Pardini

Property Owner Address: 97 Cindy Ann Drive, East Greenwich RI, 02818

Deed of property recorded in Bristol County Registry, *Please note this mandatory information

Book No.: 24435 Page No.: 284

To the Planning Board, Zoning Board and Conservation Commission of the Town of Seekonk, Massachusetts:

The undersigned, being an applicant submits the following drawing of land to be considered, listing the names of adjoining owners in their relative positions and indicating the address of each abutter on the drawing or in a separate list, including owners of land separated from the said land only by a street. Said drawing is at a scale of 1” = 40’ and lists all abutters within 300’ including across the streets and bodies of water. For the acceptance of streets, please notify all abutting properties of the proposed roadway(s) only.

*Please use blue pen to sign

This is to certify that at the time of the last assessment for taxation made by the Town of Seekonk, the names and addresses of the parties assessed as adjoining owners to the parcel of land shown above were as written, except as follows:

Town Assessor: [Signature] Date: November 16, 2020

Assistant Town Assessor: [Signature] Date: 

This certificate shall expire 30 calendar days from the date of certification.

Rev. 10/7/2020
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Prepared/Certified by the Board of Assessors

Alison Halaburda, Sr. Clerk

Date: 1/16/20
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182 BURNSIDE AVE
SEEKONK, MA 02771
038.0/0156.0
KENYON, JEFFREY S & NICOLE G (TBYE)
188 BURNSIDE AVE
SEEKONK, MA 02771
038.0/0157.0

QUEENAN II, EARL F & AMY M (TBYE)
206 BURNSIDE AVE
SEEKONK, MA 02771
038.0/0160.0

HENG, NAWEE K
194 BURNSIDE AVE
SEEKONK, MA 02771
038.0/0158.0

AMBRO, JOHN GREGORY & JANICE D
C/O TRUSTEES OF JOHN G & JANICE D REV
200 BURNSIDE AVE
SEEKONK, MA 02771
038.0/0159.0
Please input agency related information you want to display on the generated reports

Cellphone: XXX-XXX-XXXX. Address: XXX XXXXX BLVD XXXX

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<td>Tue Jan 5, 2021</td>
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<td>Aubin, John</td>
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<td>Case Module:</td>
<td>Plan</td>
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<td>Inspection Type:</td>
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| Job Address:       | 0 Oak Hill Avenue BRODY WY Seekonk, 02771           |
| Parcel Number:     |                                                      |

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<td>Mariano, Mark</td>
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<tr>
<td>Applicant</td>
<td></td>
<td>Pardini, Robert</td>
</tr>
<tr>
<td>Owner</td>
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<td>Pardini, Jonathan</td>
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<td>Engineer or Surveyor</td>
<td>Oakhill Engineering LLC</td>
<td>Mariano, Mark</td>
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1 lot definitive subdivision. Subject to Conservation Com Review

Not applicable

Jan 05, 2021

Aubin, John
Approximate House Site
DEFINITIVE SUBDIVISION PLAN
"BRODY WAY"
IN SEEKONK, MA 02771

OWNER:
JONATHAN PARDINI
97 CINDYANN DRIVE
EAST GREENWICH, RI 02818

APPLICANT:
JONATHAN PARDINI
97 CINDYANN DRIVE
EAST GREENWICH, RI 02818

ENGINEER:
OAKHILL ENGINEERING LLC
75 OAKHILL AVE, 2ND FLOOR
SEEKONK, MA 02771
MARK40286@GMAIL.COM
PHONE: 401-674-0871

SURVEYOR:
E. OTIS DYER, R.P.E., R.P.L.S
368 FAIRVIEW AVENUE
P.O. BOX 5
REHOBOTH, MA 02769
E.OTIS_DYER@MSN.COM
PHONE: 508-252-4362

DATE: 12/18/20

PROJECT LOCATION

PROJECT LOCUS

SHEET INDEX

C1 EXISTING CONDITIONS
C2 PROPOSED ROAD ALIGNMENT AND LOT LAYOUT
C3 PROPOSED ROADWAY & UTILITIES
C4 DETAILS & SOIL LOGS

REGISTRY USE

PLAN MAJORAT:
PROPOSED SUBDIVISION LOT SUBDIVISION ON SOUTH SIDE OF OAK HILL AVE, SEEKONK, MASSACHUSETTS.

NOTES:
1. THE PROPOSED SUBDIVISION IS FOUND ON A REVISION MAP NAMING MAP 11, LOT 340.
3. THE 18.6% OF ZONE "X" AS INDICATED ON THE FLOOD INSURANCE RATE MAP PUBLISHED BY FIS, ZONE "V" IS INDICATED AS A ZONE OF DRAINAGE, LOCATED ON PANEL "F" OF THE FLOOD INSURANCE RATE MAP AS INDICATED ON THE EFFECTIVE DATE OF JUNE 14, 2016.

PLAN REFERENCES:
1. TITLE OF ZONING:
D.1 SETBACK REQUIREMENTS
MIN. FRONTAGE REQUIRED 35 FT.
MIN. LOT SIZE 4,000 SQ. FT.

D.1.1 SETBACKS:
FRONT 35 FT.
RIGHT SIDE 35 FT.
LEFT SIDE 35 FT.

D.1.2 CERTIFICATION:
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATION OF DEEDS, THIS CERTIFICATION IS IN CONFORMITY WITH THE REQUIREMENTS OF THE REGISTRY OF DEEDS, THE CERTIFICATION IS PUBLICLY NOTED IN RECORDED gleich "D.1.2 CERTIFICATION" IN THE REGISTRY OF DEEDS, BOOK 612, PAGE 14.

D.1.3 CERTIFICATIONS:

Professional Surveyor:
E. OTIS DYER, R.P.L.S
368 FAIRVIEW AVENUE
P.O. BOX 5
REHOBOTH, MA 02769
E.OTIS_DYER@MSN.COM
PHONE: 508-252-4362

DATE: 12/18/20

REV # DATE COMMENTS

DEC 21 2018 10:45
MEMORANDUM

Date: January 12, 2021
To: Seekonk Planning Board
From: John J. Aubin III, Town Planner
Re: Site Plan application of Jeffrey Joaquin/International Paving Corp. for redevelopment of warehouse/garage site to asphalt & concrete plant at 45 Industrial Ct., AP 1, Lot 57 in an Industrial Zoning District

The instant application was continued from December 8, 2020 for continued discussion. Peer review of the stormwater management plan and Conservation Commission review remain ongoing with the applicant scheduled to appear before the Conservation Commission at their February meeting. Subsequent to the Planning Board’s December 8, 2020 meeting this office has received a number of inquiries and general objections from residents in the area expressing concerns with regard to the nature of the proposed use and alleging incomplete notification. This office will recommend that the applicant or their representative submit an Affidavit of Notice signed by the notifying party to further support their previous testimony to the Planning Board regarding provision of notice. All contacts were provided directions for accessing the Planning Board on-line meeting and it is anticipated that a number of the residents from the abutting residential neighborhood, Jane Howland Estates, will attend and/or participate in the meeting. Any additional materials submitted to this office after the publication of the meeting packet will be forwarded electronically for the Planning Board’s consideration.

Thank you.

Should you required additional copies of any previously provided application materials please contact the Office of Planning and Zoning.
Town of Seekonk Planning Board  
100 Peck Street  
Seekonk, MA 02771  

January 6, 2021

For the Consideration of the Board:

I am writing this letter on behalf of concerned residents in the area of the proposed asphalt plant on Industrial Court. The purpose of this letter is to inform the planning board of our staunch opposition to the plant and to request additional time to hire legal counsel to prevent its construction. We understand that the plant will be discussed at the 1/12/21 planning board meeting and we would like time to be able to prepare our arguments against the plant.

Our concerns are numerous and follow:

- **Environmental Impacts:** Asphalt plants emit known carcinogens. Asphalt emissions are also known to be a respiratory and eye irritant. This issue is particularly concerning, considering the proximity of the plant to George R. Martin Elementary School (1.25 miles), Sowams Elementary School (1.5 miles), and Hamden Meadows School (1.7 miles). The proposed location is also 0.33 miles from Four Town Farm. There are wildlife reserves nearby that are inhabited by protected species including the Diamondbacked Terrapin as well as osprey and red-tailed hawk. Many of the homes in the area utilize well water and the plant could emit pollutants into the drinking water of these families.

- **Nuisance:** Asphalt plants emit extremely foul odors and are noisy businesses that typically operate from the early morning hours on (prior to 6:00 AM). This would not only be a nuisance to area residents, but would have a severe impact on property values. Discussions we have had with residents close to the J.H. Lynch asphalt plant located on Taunton Avenue in East Providence indicate the smell and noise are constant. These issues are the source of continual complaints to the City.

- **Property Values:** As mentioned above, adverse factors will undoubtedly have a negative impact on nearby property values. The properties impacted are high value and contribute greatly to the town’s tax base. If the positive impact of the business taxes (to be paid by the plant) are being considered by the planning board, it should also consider the respective decline in residential property tax receipts when the surrounding property values inevitably decline. Additionally, we have invested our livelihoods into our homes and we all care a great deal about our neighborhood, which is home to dozens of children.

This letter is being sent on behalf of the following concerned residents. We respectfully request that the board reconsider any plans for additional hearings and we are currently seeking legal counsel to that end.
Michael and Michelle Bean
26 Jane Howland Place

David and Deborah Booth
35 Jane Howland Place

Rick and Paula Burbank
7 Jane Howland Place

John and Dawn Butterfield
104 Jane Howland Drive

Jack and Ann-Marie Cardosi
14 Jane Howland Place

Arlene Lynch
50 Jane Howland Drive

Peter and Jo-Anne Olean
101 Warren Avenue

Manuel and Grace Pedreira
50 Jane Howland Place

Dennis and Terry Rose
20 Jane Howland Drive

Bill and Lynn Shaw
12 Lannister Lane

I am available via cell at (401) 447-3036 and my email is amcardosi@gmail.com

Sincerely,

Ann-Marie Cardosi

[Signature]
Informational Project Packet

Proposed Hot Mix Asphalt Plant

45 Industrial Court, Seekonk, MA
(Plat 1, Lot 57)

Located in the Industrial Zone District

Applicant:

Jeffrey Joaquin
International Paving Corporation
**Purpose:** This document is meant to introduce the materials, equipment, operation, and design of the proposed facility. Specific regulatory compliance and control relating to storage, emissions, dust, odor, and noise will be addressed during extensive permitting with the Massachusetts Department of Environmental Protection (MassDEP). The plant will not be permitted to be constructed prior to achieving these associated permits and compliance. Those permit approvals and submissions will be provided to the Town of Seekonk prior to construction.

**Hot Mix Asphalt (HMA) Components:** What is HMA? HMA consists of a mix of size-graded, high-quality aggregate (virgin materials consisted of stone, sand, and gravel) as well as recycled product referred to as reclaimed asphalt pavement or RAP. The aggregate and rap materials are heated and mixed with liquid asphalt cement to produce asphalt (Environmental Protection Agency, 2004).

**Plant Design and Operation:** The proposed asphalt plant is manufactured by Asphalt Drum Mixers (ADM) (Model No. EX-8844). This equipment is brand new and will be engineered for the specifications of the plant. The type of asphalt plant being proposed is a counterflow drum mix plant, the most recent development within the HMA industry. A counterflow drum mix plant means that the materials in the mixing drum flow in the opposite direction of exhaust gases. In addition, the liquid asphalt mixing zone is located behind the burner flame zone, which removes the materials from direct contact with the exhaust gases. All materials entering the mixing drum are controlled electronically, allowing for greater efficiency in asphalt mixers. Because the materials are removed from the exhaust gas stream, counterflow drum mix plants typically have lower emissions than other types of asphalt plants (Environmental Protection Agency, 2004).

According to the manufacturer, the Model EX-8844 features a single-drum counterflow system using the latest in innovative technology. The EX Series meets all federal and state specifications to ensure consistent, quality asphalt. According to ADM’s specifications, the EX Series’ counterflow technology captures residual gases and reintroduces them back to the combustion zone, virtually eliminating blue smoke and hydrocarbon emissions (Asphalt Drum Mixers, 2020). Prior to initiation of construction, the facility must adhere to several federal and state regulatory requirements. The facility must meet or exceed the required standards or plant construction and operation will not be permitted by the applicable regulatory agencies. A summary of general facility information, environmental considerations, and applicable regulatory requirements are provided in Table 1, below. This information is subject to modification due to State and Federal permitting and comment.

**Table 1**  
Facility Summary Proposed

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<tr>
<th>Operating Hours</th>
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<tr>
<td>Maximum Storage of Finished HMA</td>
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<td>Maximum Storage of Liquid Asphalt Cement</td>
<td>30,000 Gallons</td>
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<tr>
<td>Total Anticipated Output (tons/day)</td>
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**Anticipated Major Regulatory Requirements**

- Massachusetts Department of Environmental Protection (MassDEP) Non-Major Comprehensive Plan Approval (BQP AQ 02) (310 CMR 7.02)
- U.S. Environmental Protection Agency (EPA) New Source Performance Standards (NSPS) for Hot Mix Asphalt Plants (40 CFR 60; Subpart I)
- MassDEP Noise Control Regulations and Implementing Policy (310 CMR 7.10 and DEP Noise Policy 90-001)
- MassDEP Requirements for Best Available Control Technology (BACT)(310 CMR 7.02)
- MassDEP Emission Limits (310 CMR 7.02; 7.09)
- Dust, Odor, and Construction: The facility must comply with the MassDEP regulations in 310 CMR 7.09 which require that dust and odor causing emissions from construction and operation of the facility.
The following schematic generally represents the major components and layout of the proposed plant.

This technology coupled with engineered controls will limit dust, odor, and noise to within the plant and will meet or exceed State and Federal requirements. Some examples of controls include:

- Covered storage bins for aggregate materials, limiting excessive dust and providing protection from the elements;
- Emissions and fine particulate matter are recycled through piping and associated baghouse to limit and recycle excess emissions, particulate matter and vapor exhaust;
- Liquid asphalt storage tanks are reinforced welded steel, located within concrete containment bins equipped to accommodate total failure of tank;
- Noise is not permitted to exceed local and state established values at the Property line. A noise study must be conducted in accordance with 310 CMR 7.10, prior to issuance of a MassDEP permit;
- Odor is very minimal. During normal plant operations, odors associated with the facility will not be detectable off-site;
- Best Available Control Technology (BACT) is required in accordance with the State air permit. The facility features the latest in BACT technology, limiting particulate matter and Volatile Organic Compound (VOC) Emissions via the gas fired drum drier, which offers the most efficient emission control technology. Displaced vapors during filling of the asphalt silos is directed back to the drum via ADM’s Blue Smoke Silo Top Recovery System (Asphalt Drum Mixers, 2020; Asphalt Drum Mixers, 2020). The following presents a typical flow chart of plant operation.
Conclusions

The proposed plant is an allowable use within the Town of Seekonk Industrial District Zone. The plant features the latest in emission and environmental controls, limiting noise, odor, and dust. Additional engineered controls including covered storage bins, secondary tank containment, and emergency shut off controls allow for immediate plant shut down in the event of an emergency. The proposed plant must meet

(Environmental Protection Agency, 2004; Asphalt Drum Mixers, 2020)
or exceed stringent state and federal permitting requirements prior to construction which are inclusive to environmental and human sensitivities. If these standards are not met, the project will not be permitable.

**Attachments:**

The Environmental Impact of Asphalt Plants. (2014) *National Asphalt Pavement Association (NAPA).*

**References:**


Environmental Protection Agency. (2004). *AP 42 Section 11.1 Hot Mix Asphalt Plant Reports.*
Attachment
The Environmental Impact of Asphalt Plants

Hundreds of communities across the country coexist peacefully with asphalt plants. These facilities are in urban, suburban, and rural areas, and most of them are known as good neighbors who are engaged with their community and dedicated to sustainable operations.

However, there is a lot of misleading and often daunting information about asphalt plants and asphalt products. Therefore, it’s important to understand what’s fact, what’s fiction, and what the differences are between different types of asphalt products.

As with any industrial facility, it’s helpful to understand what happens behind the gates at an asphalt plant. This paper provides basic information about what happens at an asphalt plant including how it impacts your neighborhood, the community, and the environment.

Well Regulated by the U.S. EPA

Asphalt plants, or more accurately asphalt pavement mixing facilities, are industrial operations that mix liquid asphalt binder (also called asphalt cement) with crushed rock, gravel, and sand (collectively called aggregates) to make pavement. Asphalt binder, the glue that binds the aggregates together, is one of many distilled products obtained from the oil refining process. Similar to other refined oils, such as lubricating oils, asphalt binder is processed to meet defined standards. Some mixes also require additives, which can range from chemicals that improve mix performance to natural fibers that strengthen specialty mixes. The use and storage of these materials is carefully monitored and regulated.

Asphalt pavement mixing facilities are well-regulated by federal and state environmental agencies, and they employ multiple emission control systems. The small amount of emissions released from these control systems are closely monitored to ensure they stay below any permitted level set by the U.S. Environmental Protection Agency (EPA) and other regulators to ensure that they pose no health or environmental risk to nearby communities.

In fact, over a decade ago, the EPA reviewed emissions from asphalt plants and determined that such facilities are not a major source of air pollution and were subsequently delisted by the agency. Subsequent studies by various regulatory agencies have verified that emissions from asphalt pavement mixing facilities do not present an environmental or public health hazard.

Emissions — Very Low and Getting Lower

The majority of emissions at asphalt mixing facilities come from the combustion of fuel, such as natural gas, that are used to dry and heat the rock or aggregate and to keep the temperature of the asphalt hot. Most of the other potential emissions, such as the dust gener-
ated during the drying of aggregate, are captured by baghouse filters or similar controls and never released to the environment.

At times, there may be noticeable emissions coming from an asphalt plant’s stack, but in almost all circumstances this is just steam — the loss of water vapor from the drying of aggregate at high temperatures.

Sometimes odors from the heated materials may also emanate from an asphalt plant. Although they may be noticeable, these odors pose no danger to either plant personnel or to the communities in which a plant operates. A noticeable odor does not indicate a health hazard; there are many instances of natural and man-made odors that are noticeable, but not harmful — skunks, dairy farms, garlic, and marshlands to name but a few. Asphalt plant odors are not harmful.

A 2001 study compared emissions from an asphalt plant to emissions from other common community and industrial sources. The study found that the low annual emissions from an asphalt plant are equivalent or well below many other common sources:

- Similar volatile organic compound (VOC) emissions from one bakery operating for about two weeks or from 13 residential fireplaces over the course of a year
- Less than six months’ worth of toluene emissions from an automotive gasoline filling station

Since 1970, the asphalt pavement industry has documented a decrease in total stack emissions of 97%, while increasing pavement production by 250%.

In an effort to further reduce an asphalt plant’s environmental footprint, a number of technological advances have been pursued and implemented by the asphalt pavement industry over the past 10 years. These advances have helped reduce the amount of energy needed to make asphalt pavements and have expanded the use of recycled materials in asphalt pavements, resulting in dramatic and well-documented reductions in the carbon footprint of asphalt pavements.

The fact is, asphalt pavements have a very small carbon footprint compared to other pavement materials. In addition, the U.S. Department of Energy recognizes asphalt as a top material for sequestering carbon.

**Not All Asphalt Is the Same**

When examining regulations and health information regarding asphalt, it is important to note that the word asphalt (or its European name bitumen) is used for multiple products that are produced and used in different ways. Asphalt pavement material (sometimes called asphalt concrete) is not the same thing as roofing asphalt, and it is unrelated to coal tar.

Each of these materials has different components, properties, and is used at different temperatures, which results in very different potentials for emissions. The asphalt pavement industry has spent decades advancing technology that reduces the temperature needed to produce asphalt pavement, thereby minimizing and eliminating those emissions.

**100% Recyclable and Inert**

Asphalt pavement is the most recycled material in the U.S. Not only recyclable, it can be reused over and over again in new asphalt pavement mixes. Recycled or reclaimed asphalt pavement (RAP) contains old asphalt binder and aggregates that can replace virgin material requirements. The old asphalt binder is reactivated, replacing part of the binder required in a new mix, just as the old aggregate becomes part of the aggregate content of the new pavement. About 80 million tons of asphalt pavement is reclaimed each year, and over 99% of that total is reused or recycled.

Asphalt is also inert. No materials are leached from the pavement itself (because it is waterproof). In fact, a number of drinking water reservoirs and fish hatcher-
ies are lined with asphalt. Although vehicle emissions like grease and oil may be deposited on roadways over time, emissions and leachate from RAP stockpiles have been found to be practically nonexistent. The EPA recognizes that RAP piles are unlikely to cause fugitive dust problems and can actually be used to reduce dust from unpaved roads. Numerous studies have documented that leachate or runoff from RAP storage is not a problem, and RAP is commonly used as clean fill material in highway construction.

In addition to reclaimed asphalt pavements, materials from other industries are routinely recycled into asphalt pavements, including rubber from used tires, glass, asphalt roofing shingles, and blast furnace slag. Recycling of asphalt pavement and asphalt roofing shingles conserves more than 21 million barrels of liquid asphalt binder annually.

**Busy Places and Controlled Traffic**

Although asphalt plants don’t take up a large amount of real estate, they do contain a lot of equipment and are busy places to work. From the street, visible equipment may include large silos used to store the finished pavement material, big pieces of environmental-control equipment to filter out stack emissions, and many stockpiles of raw materials, including sand, rocks, reclaimed asphalt pavement, and other recycled materials.

Asphalt plants also contain tanks that store both fuel and liquid asphalt. The EPA and other environmental agencies closely regulate these tanks to ensure that they don’t rupture, and there are adequate protection systems and safeguards in place to prevent any discharge in the unlikely event of a leak.

Other pieces of large equipment include the aggregate dryer drum, which is used to warm and remove moisture from the aggregate before the materials are all mixed together in a large mill. The final finished pavement material is then stored in on-site silos for short periods of time before it is loaded into trucks to be taken out to a job site.

Truck traffic to and from a plant can be heavy, particularly during the summer months when road repair and construction are greatest. To ensure that the asphalt mix reaches the paving site at the proper temperature to ensure quality, plants and paving companies aim to manage truck traffic carefully to minimize delays at the plant or the paving site. Proximity to roadway work sites also plays a role in deciding where a new or temporary plant should be placed.

**Asphalt Plants Benefit the Community**

Asphalt plants are good neighbors, who are active in their community. They offer opportunities for local employment, and often contribute to community events with volunteers and financial donations. Many asphalt plants are family-owned and operated and have been an important part of their community for decades.

**Essential to Our Nation’s Infrastructure**

Asphalt pavements have been produced since the late 1800s — in fact, naturally occurring asphalt has been used for thousands of years as a waterproofing agent. Asphalt plants are an important link in the nation’s transportation infrastructure.

Today, more than 94% of the nation’s 2 million miles of paved streets and highways are surfaced with asphalt. That’s because state and federal highway departments have long known that asphalt pavements are smooth, cost-effective to construct and maintain, exceptionally durable, environmentally friendly, and 100% recyclable.

In addition, asphalt pavements can provide solutions for multiple forms of transportation, including walking trails, cycle tracks, bus rapid transit lanes, and airport runways. And specialty pavement mixes, such as porous asphalt, are an important option for stormwater management.

**References**

Asphalt Plants
Know The Facts

The National Asphalt Pavement Association (NAPA), founded in 1955, represents more than 1,100 asphalt producers, paving contractors, and affiliated businesses that build the network of roads so critical to the American economy. The asphalt pavement industry has a long history of working with regulatory authorities and federal agencies to develop and promote innovations that enhance the sustainability of asphalt pavements, improve worker safety, protect the environment, and save taxpayers money.

- There are approximately 3,500 asphalt plants in the U.S. The industry supports, directly or indirectly, 260,000 American jobs that cannot be exported overseas.
- Of the 2.6 million miles of paved roads in the U.S., 94% are surfaced with asphalt.
- Asphalt pavement is a precisely engineered product composed of 95 percent aggregates (stone, sand, and gravel), and 5 percent asphalt cement, a petroleum product.
- Asphalt plants are well-regulated by the EPA and other state and federal regulatory agencies.
- In 2002, the EPA officially delisted asphalt plants as a major source of air pollution.
- Asphalt is 100% reusable, and is the most reused and recycled product in the U.S.
- Asphalt plant emissions are very low and getting lower due to innovative control systems and manufacturing technology.
- From time-to-time, odors may emanate from an asphalt plant — while noticeable, these odors pose no danger to plant personnel or the communities in which a plant operates.
- Asphalt binder recycled from old pavements and roofing shingles replaces more than 21 million barrels of oil per year, saving American taxpayers more than $2.2 billion annually.
- Not all asphalt is the same: Asphalt pavement is different from roofing asphalt and other asphalt products. It has different components, properties, and is used at different temperatures, which results in very different potential emissions. Asphalt cement is unrelated to coal tar.
- Asphalt is inert: it does not leach materials. Recycled or reclaimed asphalt pavement (RAP) is likewise inert.
- Storage silos and fuel tanks on a plant’s property are highly regulated to ensure they are well maintained, and redundant protection systems and safeguards are in place to prevent accidental material release.
- Asphalt plants are good neighbors. If there is a concern, the first step is to contact the plant owner or operator.
Date: January 12, 2020
To: Planning Board
From: John J. Aubin III, Town Planner
Re: Request by C-door Holdings LLC to set surety amount and authorize surety in the form of a triparty agreement for Pine Brook Court Definitive Subdivision located at 0,224, and 250 Arcade Avenue.

The applicant is before the Planning Board in order to set the public improvement surety amount for the above referenced recently approved definitive subdivision. The initial proposed form of surety is a triparty agreement. Once the public improvement surety amount is set by the planning board the applicant will present a tri-party agreement between a financial institution, the town of Seekonk and themselves in order to underwrite the public improvement costs. The initial proposed construction cost estimate per the submitted cost estimate as reviewed by the Planning Board’s inspecting engineering firm, GPI is $482,910.00.

An inspectional services contract with the Planning Board’s inspecting engineer is being finalized for the development.

Once the surety amount is set final documents for recordation will be prepared for execution and ultimately recordation.

Thank you.
TOWN OF SEEKONK
PLANNING BOARD
100 PECK STREET, SEEKONK, MA 02771
1-508-336-2961

ESTABLISHMENT OF SURETY

Date: December 24, 2020

Applicant Name: C-Door Holding, LLC Phone No.: 401-954-0840

Address: 88 Countryside Dr, Cumberland, RI

Plat No.: 21 Lot No.: 18, 277, 305

Definitive Plan of a subdivision entitled: Pine Brook Court

Dated: November 5, 20 Prepared by: InSite Engineering Services

Form of Surety select one: (Covenant) (Bond) (Cash) (Tri-Party Agreement with BankRI)

The construction of all ways and the installation of all municipal services shall be completed in accordance with the applicable rules and regulations of the Planning Board within 12 months from the date said plan is endorsed.

Checklist — Surety establishment or release:

X Original Surety Form

X Application fee ck# 136
$125 application fee (made payable to the Town of Seekonk)

X Construction Cost Estimate—For establishing surety amount; completed by the Applicant, reviewed by inspecting engineer, and approved by the Planning Board

X Inspection Fees check ck# ______________________
For establishing covenant agreements only; Amount determined by inspecting engineer (payable to Town of Seekonk); To be deposited in special 53G account, as authorized by MGL Ch. 44, sec 53G

N/A W-9 Form (available from Town Treasurer)
Required for establishing cash surety or bond and special 53G account

ONCE PLANNING BOARD APPROVES PERFORMANCE GUARANTEE AMOUNT BASED ON CONSTRUCTION COST ESTIMATE THEN SURETY WILL BE ESTABLISHED THROUGH THE TOWN TREASURER THEN DEFINITIVE PLAN CAN BE ENDORSED.

Signature of Applicant: [Signature]

Rev 12/24/20
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<td><strong>EXCAVATION</strong></td>
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<td>3&quot; - 6&quot; Diam. Rip Rap</td>
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# Construction Cost Estimate

InSite Engineering Services  
Construction Cost Estimate  
Page 2

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**UTILITIES**

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**FINAL SITE PREP**

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**INSPECTIONS**

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**TOTAL**

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<td>10% Contigencies</td>
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<tr>
<td>Construction Management (10%)</td>
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<td>Maintenance (2%)</td>
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To: The Planning Board
From: John J. Aubin III, Town Planner
Date: January 6, 2021
Re: December monthly report

The following departmental activity summary covers the period November 1, 2020 to November 30, 2020.

SUBDIVISIONS

- **Magnolia Court**, 10 Lot residential subdivision of land located off Walker Street. Definitive Plan public hearing open and Planning Board review on going, scheduled for December 8, 2020. Meeting convened with DPW and peer review to review requested waiver.

- **Pine Brook Court** Definitive Subdivision application for development of a nine (9)-lot residential subdivision located at 0, 224 and 250 Arcade Avenue being AP 21, Lots 18, 277 and 305 in an R-2 Zoning District. Public Hearing held November 24, 2020 Conditional Definitive Subdivision Approval granted.

- **Farmland Estates** 12 lot residential subdivision located off Lincoln Street – sidewalk installation completed final clean up and acceptance application filing pending.

- **Kathleen Court** 16-lot residential subdivision off Lincoln Street – construction ongoing.

- **Hidden Hills** 14 lot residential subdivision off Taunton Ave - Housing construction ongoing.

- **Jacob Hill Estates** 11 lot residential subdivision off Jacob Street - Final paving and clean up underway; acceptance application filing pending.

- **Woo Estates** 11 lot residential subdivision off Jacob Street - Final paving and clean up completed; acceptance application filed.

- A subdivision status update is being prepared for all “active” subdivisions for the Planning Board’s February meeting.

SITE PLANS

- **Jeffrey Joaquin** for proposed redevelopment of warehouse/garage site to asphalt and concrete plant at 45 Industrial Court being AP 1, Lot 57 located in an Industrial Zoning District. Scheduled for Planning Board continued review January 12, 2021.

- **965 Neon Seekonk, LLC** for construction of a gas/convenience store at 965 Fall River Avenue, AP 8, Lots 20, 101, 103 in a Highway Business Zoning District. TRC review conducted October 29, 2020. The Planning Board’s motion to approve failed on a 3 in favor to 3 opposed vote at their December 8, 2020 meeting.

- **Positive Synergy** for construction of 6389 sq ft addition to existing 2482 sq ft building at 1573 Fall River Avenue, AP 1, Lot 41 in an R-3 Zoning District. Approval decision executed and issued.

- **Levitation Gallery LLC** for a change in use at 1635 Fall River Avenue, AP 1, Lot 14 in a mixed use, R-3 Zoning District. Approval decision executed and issued.

- **KC Reilly LLC** for construction of a proposed drive thru/pick up window to the existing building at 1379 Fall River Avenue, AP 7, Lot 93 in a Local Business Zoning District.
Approval decision executed and issued. Special Permit granted by the Zoning Board of Appeals December 14, 2020 currently within ZBA 20-day appeals period

- **R&P Dias Realty, Inc** for construction of new commercial facility truck body fabrication/assembly, and associated site improvements at **1727 Fall River Ave**, AP 1, Lot 20 consisting of 2.8 acres located in an Industrial Zoning District. Currently pending before the Conservation Commission.

- **(SPL2020-00017) Seekonk Realty Ventures, L.L.C.**, for proposed site redevelopment and improvement of the portions of the existing easement to accommodate the construction of a fastfood restaurant with a drive-thru window at 1151 Fall River Ave, AP 7, Lots 82 & 81 in a Highway Business Zoning District. Continued to December 12, 2021 to allow for resolution of an access issue with an abutting property owner.

AMENDMENTS

- OSREC Plan public outreach session conducted December 17, 2020 plan draft forthcoming from project consultant

- 5 year Master Plan update drafting ongoing
  - Economic Development and Land Use Element-ready for adoption process upon receipt of implementation matrix from SRPEDD
  - Public services master plan – SRPEDD draft submitted staff Planning Board review underway, public review pending.
  - Pending: Public Workshop: goals and Policies, Hosing Production Plan, Land Use, Circulation, and Natural and Cultural Resources Elements

- Pre and post construction stormwater management regulations drafted by GPI. Under Planning Board review for formal adoption proposal to board of selectmen (General By-law)

- Zoning Amendments: corrections, affordable housing units, mandatory inclusionary zoning. Joint Planning Board and Board of selectmen meeting conducted on September 23, 2020. Public Hearing on proposed Zoning Amendments to be considered at the February 3, 2021 Fall 2020 Meeting held October 13, 2020

MISC

- Electronic Permitting Ener-gov – continued implementation

- Attleboro Dye Works EPA:
  - Assessment Grant closeout final phase II and III remediation plans complete
  - MassDevelopment Remediation and Brownfield Re-use grant awarded
  - EPA Remediation grant submitted

- Municipal Vulnerability Program (MVP) final plan revisions being incorporated by project consultant

- Stormwater Advisory Committee
  - MS4 Annual Report completed
  - Monthly meetings ongoing
Present: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Phoebe Lee Dunn, Bruce Hoch, Peter Aguiar, and John Aubin, Town Planner.
Absent with cause: Jamie Roach

Ch. D. Sullivan opened the meeting at 7:12 pm.

PUBLIC HEARING:

Continued Definitive Subdivision Application of Narragansett Capital, LLC for “Magnolia Court” for proposed 10-lot residential subdivision of land located at 43 Walker Street being AP 24, Lot 628 in an R-2 Zoning District.

J. Aubin stated that the board received a request from the engineer for a continuance to continue to address the issue brough up by DPW in regards to the super elevated roadway.

Paul Carlson stated they had been in contact with DPW for the redesign for the subdivision. The memo that was provided by the Superintendent of DPW wasn’t forwarded to the engineer or the board until late in the afternoon and they requested a continuance to review the memo and to conduct a meeting with the Town Planner, the peer reviewer, DPW and the design engineer.

M. Bourque made a motion to continue the Public Hearing for Magnolia Court to December 8, 2020, it was seconded by P. Lee Dunn. 
Vote (6-0-0) all in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Phoebe Lee Dunn, Bruce Hoch and Peter Aguiar.

Definitive Subdivision application of C-Door Holdings, LLC for the development of a nine (9)-lot subdivision entitled “Pine Brook Court” located at 0, 224 and 250 Arcade Avenue being AP 21, Lots 18, 277 and 305 in an R-2 Zoning District.

S. Foulkes made a motion to wave the reading of the legal advertisement for Pine Brook Court, it was seconded by P. Lee Dunn. All in favor, none opposed.

J. Aubin stated that they had conducted a first-round peer review for the property and the primary issue was in regard to the Nutrient Loading Analysis. The property has been before the board for both an ANR and a Preliminary Subdivision submission. The entrance lines up with Marsden Court and the rear of the property backs up to the Runnins River.

Paul Carlson with Insite Engineering spoke on the application. He stated the existing conditions of the property is essentially all wooded. There is a soil mixture of sand and gravel with a 5ft. water table. All proposed lots will meet the minimum lot frontage and area requirements for an R-2 zone. There has been an extensive drainage analysis for pre/post condition flows and with the use of 3 infiltration ponds of pipe and catch basin system they have meet the Town of Seekonk’s Storm Water Requirements. The
subdivision will have access to gas, water and electric coming off of Arcade Avenue. The peer review has been responded too and additional components mentioned were incorporated in the plan.

J. Aubin reiterated the major concern was for the Nutrient Loading Analysis. P. Carlson stated at the previous board meetings the only EIS items requested were for traffic and soil conditions and those comments were addressed.

Jim Reardon with Weston and Sampson stated that re reviewing the regulations the Nutrient Loading Analysis is not required in the local bylaws or regulations. He reviewed the responses to the comments provided from the review briefly prior to the meeting but hasn’t looked thoroughly into them as they were asked to hold off on the responses until after the meeting. He stated that the applicant has been responsive to their findings in the review.

P. Lee Dunn asked if parcels 4-7 were in the 100 ft. buffer zone for the river front because it appeared as though the homes would need to be constructed right along the roadway. P. Carlson responded stating the lots 5 and 6 the houses and the septic’s are outside of the 200 ft. buffer but based on Conservation regulations they are limited to disturbance with in the 200ft. buffer.

P. Lee Dunn asked for clarification on the two lots to be developed on Arcade Avenue that will be abutting the subdivision. P. Carlson stated that the two abutting lots were included in all stormwater regulations and design for the roadway for the drainage. P. Lee stated that in regards to the river it was important to then keep in mind the impact of the septic’s and impervious surfaces for 11 lots as opposed to 9 since the two facing Arcade were included in the stormwater for the subdivision.

There were no residents who wanted to speak in favor of the application.

Lucy Provazza of 344 Ledge Road is a rear abutter to the proposed subdivision who also abuts the Runnins River. She stated that her concern was with parcels 5 and 6 and how the lot development would impact the river because if there is an impact it will ultimately impact their own property. Her property floods when there are heavy rains and is worried the water from the subdivision that would eventually flow into the river will add to their current flooding issues.

P. Carlos stated that any site development is required to have the post construction water flows match the preconstruction so they do not increase stormwater runoff to abutting properties.

There were no further comments from the public.

P. Lee Dunn stated that she believed the development should be scaled back based on the inadequate culvert causing flooding, cutting of trees that aid in drainage and tax increases for other residents.

J. Aubin stated the tax issue is more a Board of Selectmen issue and the wetlands concerns fall under the purview of the Conservation Commission. The Planning Board’s purview would be making sure the subdivision meets the rules and regulations under the control law, which it does. If the Conservation finds impacts to the wetlands, theoretically they could limit what a developer could do with the property but it depends on the construction activity being proposed.

S. Foulkes stated that she was concerned if the board made a decision tonight but Conservation had concerns then the subdivision would just be approved without any additional changes that may be needed to address Conservation concerns.
There were no other comments from board members.

**B. Hoch made a motion to close the public hearing, it was seconded by M. Bourque. All in favor, none opposed.**

S. Foulkes asked if the nutrient analysis would fall under Conservation's purview. Ch. D. Sullivan stated if it was needed it could be incorporated into the motion.

**M. Bourque made a motion to approve the Definitive Subdivision Application of C-Door Holdings for Pine Brook Court with the conditions noted in the planners report as well as a nutrient loading analysis be forwarded to the Conservation Commission for their attention. It was seconded by S. Foulkes. Vote (5-1-0) for approval. Those in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch and Peter Aguiar. Opposed: P. Lee Dunn.**

**REGULAR MEETING:**

**Continued Site Plan application of Jeffrey Joaquin/International Paving Corp. for redevelopment of warehouse/garage site to asphalt & concrete plant at 45 Industrial Ct., AP 1, Lot 57 in an Industrial Zoning District. Continued from October 13, 2020.**

J. Aubin stated the application was continued to this hearing to allow for notification to the abutters. The department has also been in contact with Conservation for the area of wetlands located in the norther portion of the property. The peer review of the application is still ongoing. The applicant provided additional information today that was forwarded to the board prior to the meeting.

Eric Brainsky who is legal counsel for the applicant, the owner of the lost as well as Sage Environmental were present in the meeting to provide additional information on the project scope.

E. Brainsky stated the abutters were notified and they were not seeking a vote at this time. He explained that the intended use is for a proposed mixed asphalt plant and associated materials manufacturing. In terms of the wetlands issue it came about due to the neighboring property doing some developmental work. That properties environmental scientist noted the wetlands as our project environmental scientist disagreed with the findings and they are in the process of working with a biologist and the Conservation Commission. If the applicant needs to submit an NOI to Conservation they will do so. E. Brainsky stated that Jeffrey D’Arringo was present from Sage Environmental and he is the project manager. They are currently working on an application for an air permit thru MA DEP that takes into account air pollution, noise/vibrations, and site setbacks. That permit would be required before construction.

J. D’Arringo with Sage Environment spoke on behalf of the applicant. He stated the informational packet provided to board would shed a light on what the project would potentially look like as well as the various environmental controls that would be in place. In the prior meeting there were questions on the asphalt itself, it is comprised of aggregate materials, some virgin materials i.e. stone, sand and gravel as well as reclaimed/recycled asphalt pavement. They use a basic binder referred to as asphalt cement that is incorporated to the production process. The plant itself will be constructed brand new and specifically designed for the proposed space. It will consist of a counter flow drum mix, which the EPA has deemed to have the lowest emissions possible for mixing and creating asphalt. The design structure for the liquid asphalt cement storage will consist of a cement dyke that must be inspected and approved by the Seekonk
Fire Department. The plant is equipped with emergency shutoffs and alarms if a leak of materials were to occur. There is a baghouse in the plant responsible for collecting dust and emissions. This type of plant is regulated by the EPA and MA DEP. The regulations for MA cover the regulations of the EPA and also have additional requirements to be met. There are number of permits that need to be applied and approved before the plan can even be constructed. Once constructed there is follow up on those requirements as well.

S. Foulkes stated that the applicant gave the impression at the last meeting that this plant would be enclosed in a building, however the presentation provided demonstrates otherwise and if the plan created excess noise. J. D’Arringo stated the plant itself will not be enclosed but the materials and the mixing processes will be enclosed inside the flow drum. S. Foulkes asked what was on the filters so whatever emissions released are neutralized. J. D’Arringo stated the bag house has filtering materials and the process itself recycles a lot of the gases. He stated the noise level for the process would be compared to a beep from a back-end loader, the drum is relatively quiet. The review by DEP will provide specific directions for the site in regards to noise and buffer zones and follow up inspections to determine if the buffers are needed at all.

Ch. D. Sullivan asked J. Aubin if there was verbiage in the rules and regulations for the site plans in regards to noise and barriers. J. Aubin Section 8.12 covers the operation standards and limitations., noise is not addressed there, but it is addressed in the Town’s general by-laws. Ch. D. Sullivan asked if the Planning Board placed a stipulation on the plan to provide a sound buffer but DEP said it was not necessary, would the stipulation be overturned? J. Aubin stated that he recommended the board would piggyback off of what the State was requiring.

E. Brainsky stated he has looked over the legal regulations from the State and MA DEP and in regards to noise and in his opinion those regulations are stricter than those established in the local rules and regulations. As long as his client meets the standards for the State and MA DEP there should be no issue with satisfying the local, but there should be no excessive stipulations for noise in regards to approval if granted since the regulations are already so strict.

Ch. D. Sullivan stated that he felt comfortable placing a stipulation if granted that the project be in compliance with all State and MA DEP regulations.

B. Hoch asked if the plant would be strictly for the creation of asphalt and not concrete. E. Brainsky said there may be a concrete component to it which is an allowed use in the district. B. Hoch asked what the height of the containers holding the asphalt inside. J. D’Arringo stated those are still being worked on for the structural plan but they would be in accordance with the height restrictions which I believe to be 45 ft. B. Hoch asked what the typical sound decibel level would be. J. D’Arringo stated the level is usually between 50-60 but the noise study is done by a specialist who will provide accurate readings. B. Hoch said that noise decibel levels from a current operational plant including the truck noise would be helpful to provide.

P. Carlson stated there is 250 ft. to the closest residential area. The plant will have the covers and the walls to mitigate the sound and emissions of the productions.

J. Aubin stated for clarification the max height in the industrial district is 40 ft. not 45 as was mentioned prior.
Ch. D. Sullivan asked with the height restriction how would the plant have trucks underneath the finished asphalt tanks when they are limited. E. Brainsky stated the owner advised the trucks will be 13’6 ft. and
the plant will have several smaller tanks as opposed to a few taller tanks to allow for the trucks to move in and out and be in compliance with the height restrictions. Ch. D. Sullivan asked how many vehicles would be stored on site. E. Brainsky advised there would be one loader and two trucks.

Ch. D. Sullivan stated some potential stipulations for future decisions: No overnight delivery or operations, and satisfying the Town’s noise requirements during continuing operations.

S. Foulkes stated that she wanted clarification on the products as in the prior meeting the owner stated they would have asphalt and cement. The owner stated there could be a possibility for cement. P. Carlson stated that on the site plan there is the plant for the asphalt production but there is a small area of the property that would be used for a proposed concrete plant which would be outside as well.

J. Aubin asked if the applicant was filing for permits with DEP for the concrete plant as well. J. D’Arringo stated that they are as the concrete plant is included in the plan, but they can amend the plan with DEP if the owner does not wish to include the concrete plant on site.

There were no members of the public to speak on the petition.

The applicant requested a continuance to the December 8, 2020 meeting. **B. Hoch made a motion to continue the meeting for 45 Industrial Court to the December 8, 2020 meeting, it was seconded by P. Lee Dunn.**

**Vote- all in favor, none opposed (6-0-0).**

The board agreed to hear the Site Plan Application of KC Reilly LLC for construction of a proposed drive-thru/pick-up window to the existing building at 1379 Fall River Avenue, AP 7, Lot 93 in a Local Business Zoning District as the next item on the agenda.

J. Aubin stated this is for a proposed drive thru window on an existing building, it essentially came in as a result of the ongoing Covid-19 crisis and would allow the establishment to have an additional form of social distancing. The application was brought before the TRC and there were no major issues discussed. The only comment that he had in his review was the applicant would need to obtain a Special Permit and the delineation for the proposed drive thru lane be included on the final plan submission.

E. Brainsky stated they had applied to the ZBA and will be heard on the December 14th meeting. He wanted to emphasis that it would not be an ordinary drive thru because they will not be placing their orders on site as there will be no menu board or speakers. The intent is to have the orders called in ahead or placed on line and the window would allow the patrons to pick up the pre ordered items and avoid having to enter the establishment or request curbside pick-up.

P. Carlson stated that they meet the stacking requirements from the bylaw as well as a bypass lane. The parking spots still meet the requirements as well as they will only be removing roughly 7 existing spots.

S. Foulkes stated that there are parking spaces toward Fall River Ave that are tight with the drive thru lane. P. Carlson stated that the patrons would just need to be cautious when parking in those spaces. E. Brainsky stated that it is a safer alternative to staff running out food to various vehicles.

B. Hoch asked if there would be an over hang for the pick-up window, he was advised there would not. There were no further comments from the board.
B. Hoch made a motion to approve the application for K. C. Riley LLC for a site plan modification with the stipulations that the applicant obtain a special permit and they delineate the bypass lane, it was seconded by P. Lee Dunn.

Vote (6-0-0) for approval. Those in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch, Peter Aguiar and P. Lee Dunn.

Site Plan Application of 965 Neon Seekonk, LLC for construction of a gas/convenience store at 965 Fall River Avenue, AP 8, Lots 20, 101, 103 in a Highway Business Zoning District.

J. Aubin stated that the proposal if for a gas station with a drive thru for food services and the application was reviewed with the TRC and no major concerns were identified. There were a number of proposed conditions provided on page of the staff report.

Thomas Killoran an attorney with an office is located at 350 Main Street, Fall River MA was present representing 965 Neon Seekonk LLC. Nick Geocobbi who is one of the principals of the applicant, Nicole Riley from Diprete Engineering and Paul Bannon from Beta Inc for the traffic analysis for the property were also present.

T. Killoran stated that Neon gas stations are more than just convenience stores, they’re more of an upscaled market place. They will use the existing curb cut that will be widened slightly. There will be 4 fill up stations containing 2 pumps a piece totaling 8 pumps. The site will also include a 5500 sf. convivence store and have a drive thru running along the back for food services provided by Neon itself. Per the TRC meeting they have added an escape isle along the drive thru. The site will contain 24 parking spaces that will include 2 vacuum spots, 2 handicap, and 6 electric vehicle charging stations. They received comments from the peer reviewer and the engineer has responded and they are finalizing a few more minor details.

S. Foulkes asked if the existing building will be demolished, she was advised that it would be.

Ch. D. Sullivan asked what the applicant determined with the traffic study would be the trips created per day and how that would interact with the highway off ramp located adjacent to the property as the off ramp creates some traffic and hazard issues.

P. Bannon stated the site will keep the current entrance/exit point but will be adding two lane delineation for left and right turns for exiting. They anticipate that during peek hours the gas station would obtain 90 customers. They stated that they reviewed accident information from the police department and did not find high incidents of crashes. They will provide clear lines of site from the on ramp and the entrance to the site itself.

Ch. D. Sullivan asked if there were any additional concern from the TRC in regards to traffic flows. J. Aubin stated it was discussed that it was an established curb cut and that it couldn’t be located anywhere else on the property on Fall River Avenue. There was not any enhanced concern about the distance from the entrance to the site and the exit from the off ramp.

B. Hoch said that when it was the restaurant prior on Friday and Saturday nights, they had police details for the patrons to allow them to go in and out of the site. He sees a potential problem with the traffic build up. He requested comments for the site and accident history from the Public Safety Departments. He asked if there were any state regulations that are in place stating a entrance can be a certain distance away from an off ramp. P. Bannon said that the state had approve the driveway.
Ch. D. Sullivan said there is certainly concerns for travelers turning left into the site having to cross two lanes of traffic and travelers coming off the highway and merging potentially causing accidents to travelers turning right into the site. Exiting the site turning right is no issue, but exiting left poses the traveler cross two lanes of traffic.

B. Hoch stated that he would like to have local input for the area to add comment to the traffic study. Obtaining comments from police and fire.

N. Giacobbi stated that he went thru two TRC and police and fire representatives were present and provided a traffic study to the board. They want to ensure they have safe access to the site

J. Aubin stated that he would reach out to public safety for comments for the application for the December 8th meeting.

**B. Hoch made a motion to continue the application to the December 8th meeting to obtain feedback from public safety, it was seconded by P. Lee Dunn.**

*Vote (6-0-0) for continuance. Those in favor for continuance taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch, Peter Aguiar and P. Lee Dunn.*

**Site Plan Application of Positive Synergy for construction of 6389 sq ft addition to existing 2482 sq ft building at 1573 Fall River Avenue., AP 1, Lot 41 in an R-3 Zoning District.**

J. Aubin stated it is an addition to an existing educational facility. There was a slight amendment, originally there was a roof infiltration system that was proposed which has been removed.

P. Carlson with Insite Engineering represented the applicant. He stated there is a proposed expansion for about 5000 sf. that will include a new drive way access to the rear of the facility and will include additional parking to meet the requirements of the facility. The draining for the facility is a sheet flow system to an underground infiltration system. The site has the existing flows maintained on site and the post construction flow will continue to be maintained on site.

S. Foulkes asked if the existing playground on site will be moved from the existing location. P. Carlson stated yes. It will be relocated to a smaller area to make room for the building extension.

B. Hoch stated the provided plan shows that the applicant will be removing trees at the back of the property where it abuts the neighboring rear lots, he questioned what would be used as a buffer. P. Carlson stated that any trees outside of the development will remain. Additional trees will be added on a common property line but they are unsure what species they would be at the time. The abutting rear property owner has built a substantial fence along their property line.

P. Lee Dunn stated at the rear of the property there is a mound most likely for the septic and there is a pond located to the North West. She asked what the addition would add to the stormwater system. P. Carlson said the mound for the septic will remain and be expanded for the extension. All of the stormwater, including what was calculated for the addition will be mitigated on site.

There were no further comments from the board.

**B. Hoch made a motion to approve the site plan application with the conditions noted in the Town Planners Report, it was seconded by P. Lee Dunn.**
Vote (6-0-0) for approval. Those in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch, Peter Aguiar and P. Lee Dunn.

ANR application of Kenneth DelRosso to reconfigure lot lines located at 215 Miller Street, AP 5, Lots 39, 27 & 88 in an R-4 Zoning District.

J. Aubin stated that the application was to reconfigure lots of record. Parcel 1 is to be expanded to 4.1 acres, parcel 2’s area will be decreased and parcel 3’s area will increase from the adjustment from parcel 2. There is a triangle parcel on the plan of “disputed” area that is not a part of the submitted ANR.

P. Carlson with Insite Engineering represented the applicant. He stated they will not be creating any new lots and the frontage of lot 1 & 2 meet the requirements. Parcel 3 is altered to be less non-conforming to have a possibility for development. The width of the land leading into parcel 3 is about 45-50 ft. He was not sure what the future plans were for parcel 3.

P. Lee Dunn made a motion to endorse the ANR application with the stipulations noted in the Town Planner’s review, it was seconded by S. Foulkes.
Vote (6-0-0) for approval. Those in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch, Peter Aguiar and P. Lee Dunn.

Site Plan Application of Levitation Gallery LLC for a change in use at 1635 Fall River Avenue., AP 1, Lot 14 in a mixed use, R-3 Zoning District.

J. Aubin stated the proposed use for the building will have a retail shop (500sf.) on the first floor and a residence on the second floor. The applicant has received a special permit from the Zoning Board. The TRC concerns or comments were in regards to the signage for ingress and egress of the property and to update the site plan to show the parking spaces by a surveyor.

Megan Sheehan with Sheehan Law Firm was present for the applicant. She stated the business Levitation Gallery is for a smoke/CBD shop and currently have a location at 1200 Fall River Avenue and have been in business since 2017. They are in agreement to purchase the property from the existing owners. At their current location they average about 15 customers staggered throughout the day. The parking for the residence on the second floor to be owner occupied, will be behind a fence on the property and are not included in the 5 proposed customer parking spaces. They will include the entrance and exit signs per the TRC discussion.

B. Hoch made a motion to approve the site plan application with the stipulations noted in the Town Planner’s report, it was seconded by P. Lee Dunn.
Vote (6-0-0) for approval. Those in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch, Peter Aguiar and P. Lee Dunn.

WORK SESSION:  
The monthly report was accepted as written to the board. Approval of minuets from the month of October will be continued to December.

A motion with all board members in favor was made to continue past the 10 pm time to discuss the departments budget.
The packet contained what was submitted by the Town Planner to the Town Administrators office for FY2022. The proposal for a full-time clerical staff was considered by the Town Administrators office. Currently the position is split with conservation and zoning. In regards to the consulting budget of $7,500 it is possible to request a decrease in case items such as traffic studies are needed. The memo also included the request for the Zoning position be put under the purview of the Building Department and the board’s request for an annual stipend.

Adjournment: P. Lee Dunn made a motion to adjourn, it was seconded by S. Foulkes. All in favor, none opposed. Vote: 6-0-0

The meeting was adjourned at 10:45p.m.

Respectfully submitted by:

Krystal DosSantos
Secretary of the Planning Board

Formally accepted on ___/___/2020
in favor, against, abstention
SEEKONK PLANNING BOARD
PUBLIC HEARING & MEETING
MINUTES
December 8, 2020

Present: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Phoebe Lee Dunn, Bruce Hoch, James Roach, and John Aubin, Town Planner.
Absent with cause: Peter Aguiar

Ch. D. Sullivan opened the meeting at 7:02 pm.

PUBLIC HEARING:
Continued Definitive Subdivision Application of Narragansett Capital, LLC for “Magnolia Court” for proposed 10-lot residential subdivision of land located at 43 Walker Street being AP 24, Lot 628 in an R-2 Zoning District.

There was a continuance requested by the applicant. The Department has been working with the applicant, DPW and the peer review engineering firm to finalize the roadway issue.

P. Lee Dunn made a motion to continue the public hearing for the definitive subdivision for Magnolia Court to January 12, 2020, it was seconded by B. Hoch.
Vote (6-0-0) all in favor to continue the hearing to January 12, 2020 taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Phoebe Lee Dunn, Bruce Hoch and James Roach.

REGULAR MEETING:


The applicant is working with the Conservation Commission for wetland delineation and will be heard at their meeting on the 14th. The applicant has requested the application be continued to January 12th to finalize the requirements on the Conservation side.

S. Foulkes made a motion to continue the site plan application for International Paving to the January 12, 2020 meeting, it was seconded by P. Lee Dunn.
Vote (6-0-0) all in favor to continue the application to January 12, 2020 taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Phoebe Lee Dunn, Bruce Hoch and James Roach.
Site Plan Application of 965 Neon Seekonk, LLC for construction of a gas/convenience store at 965 Fall River Avenue., AP 8, Lots 20, 101, 103 in a Highway Business Zoning District.

J. Aubin stated the primary issue at the last board meeting was the issue of traffic at the entrance and exit to the site. The department reached out to Public Safety, the police and fire chief provided a response and there was no additional comments other than placing signage for the site as mentioned before. The applicant did provide a set of revise plans that have been reviewed by the peer engineer reviewer and they indicated that any issues or comments in regards to the stormwater design has been satisfied.

Thomas Killoran was present representing the applicant. Nick Geocobbi who is one of the principals of the applicant, Nicole Riley from Diprete Engineering, and a representative from Beta inc. for the traffic study were also present. T.Killoran stated the traffic engineer has again reviewed his data and expanded into the state police records and did not find anything that would cause major concerns for that area. He believed the applicant received satisfactory comments from both police and fire.

S. Foulkes stated in addition to the sign indicating merging traffic there should be a “slow” sign. She is uncomfortable with the speed of vehicles exiting the off ramp.

Ch. D. Sullivan asked J. Aubin if they would have to petition the state for the signage since Rt.114 is a state road. J. Aubin explained that the board could work with the applicant in regards to placing signs on their property in proximity to the off ramp. The site is sitting between two traffic lights and they usually pulse the flow of traffic and given the density of the area the traffic speeds would be less.

Ch. D. Sullivan stated again his concerns for the cross of traffic and the potential of drivers speeding thru the yield sign from the off ramp.

B. Hoch asked if the property line along Fall River Avenue is 194 ft. J. Aubin stated the whole frontage for the property is 194 ft. B. Hoch said with the driveway that would leave a line of site of about 150 ft. He stated the recommended site clearance from the state is 250 ft. The gas station/ convenience store located across the street has two entrance and exit points. Another gas/convenience store off the 95 West off ramp contains 3 entry points and 4 exit points. The proposed site and traffic study indicate a very heavy traffic flow for the peek travel times. He stated he would be opposed to the supported plan and the applicant should consider a revised plan and revise the access points to the site.

Herman Perault was the representative from Beta inc. He stated they have been working with a landscape architect to ensure there will be no obstructions for line of site in that regard. Though the site line from the off ramp to the entrance is about 225 ft. the vehicles exiting the off ramp are not going 40-50 miles an hour. It is a controlled yield intersection where the anticipated speed to check for safe exit would be about 20-25 miles an hour. They anticipate patrons being right in, right out with out to many left turns into the site since there are several options on the opposite side of the road anyway. They determined there would be about 180 trips (90/90) per hour for the services and that isn’t generating new traffic, that would be from the vehicles already in travel and existing along Fall River Avenue. The traffic lights mention before provide significant gaps in the flow of traffic allowing people to enter and exit the site in a safe manner. They determined with the MA DOT that the area is not a high crash location.

M. Bourque stated the site is zoned commercial and the driveway is pre-existing and if the site line is an issue the board will encounter problems with any establishment that goes in there. He did not have a problem with the use, there will always be traffic and the board can work with the developer for signage and line of site clearance on the property. If this project is turned down there will eventually be another
application for a restaurant or convenience store. The board can’t change the road, add a light or move the driveway further.

T. Killoran stated he understood the point made about the surrounding gas stations having multiple entrance and exits on site, but that could create problems in a high traffic area as well with turning conflicts and vehicles entering and exiting at multiple points. This situation on our site the ingress and egress would be more controlled. The applicant will have no objections to any conditions or suggestions implemented by the board.

There were no further comments from the applicant or their representative.

M. Bourque made a motion to approve the site plan application submitted by 965 Seekonk LLC, it was seconded by J. Roach.

Vote (3-3-0) The following roll call in favor: P. Lee Dunn, J. Roach and M. Bourque. The following roll call against the motion: B. Hoch for previous reasons stated, S. Foulkes for previous reasons stated, and Ch. D. Sullivan for previous reasons stated. The motion made failed.

Site Plan application of R&P Dias Realty, Inc for construction of new commercial facility f/truck body fabrication/assembly, septic & stormwater structures at 1727 Fall River Ave, AP 1, Lot 20 consisting of 2.8 acres located in an Industrial Zoning District

J. Aubin stated that the board had received a plan for the site prior in 2016 but it was not acted upon by the applicant. The prior plan proposed 3 buildings and a granite site, the new application proposes one entity.

David Bray with Caputo and Wick represented the applicant. He stated the new proposal will have a smaller building on site and be set back farther from the road. The applicant currently leases property behind the proposed site on Industrial Ct. The business has 10 employees and the building will include a small office, small showroom area and an area for the fabrication. The drainage system is located on the east side of the property that includes a bio retention basin as well as a stormwater infiltration basin. The applicant is currently under a peer review for the Conservation Commission which is a part of the NOI application. The roof stormwater will runoff into two infiltration systems, one on each side of the building. A small sewage disposal system will be located in the front of the building. The proposed parking includes 10 spaces and 1 handicap spot. There will be additional trees added to the premises to comply with the shading requirement. The application was before TRC and there were no major concerns brought up.

S. Foulkes asked if the garage there would be knocked down and if parking along the grass is on the site property line and not the adjacent lot. She was advised that the parking in question is in fact on the site property, and the garage would be torn down.

There were no further comments.

B. Hoch made a motion to approve the site plan as presented with the conditions noted by the Town Planner’s Report, it was seconded by P. Lee Dunn.
Vote (6-0-0) all in favor of the application taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Phoebe Lee Dunn, Bruce Hoch and James Roach.

Site Plan application of Seekonk Realty Ventures, LLC, for proposed site redevelopment and improvement of the portions of the existing easement to accommodate the construction of a fast-food restaurant with a drive-thru window at 1151 Fall River Ave, AP 7, Lots 82 & 81 in a Highway Business Zoning District.

The applicant had requested a continuance for the application. The department was approach by an abutting property owner (The Colonial Inn) in regards to an easement that the applicant was looking to utilize but there were some issues in regard to the current applicant’s ability to still use that easement.

David Rotondo Jr. an advisor for the Colonial Inn and David Rotondo Sr. the Owner of the Inn were present. D. Rotondo Jr. stated that there was an easement agreement with the prior owner/venture which was the Friendly’s restaurant. There is no agreement at this time for the use of the easement with the new owner/applicant/venture and they will prohibit the use of their property until there is an easement if an easement is even to be considered on their end.

J. Roach made a motion to continue the site plan application for Seekonk Realty Ventures, LLC to the January 12, 2020 meeting, it was seconded by S. Foulkes.
Vote (6-0-0) all in favor to continue the application to January 12, 2020 taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Phoebe Lee Dunn, Bruce Hoch and James Roach.

ANR application of Douglas & Alison Drainville to reconfigure lot lines located at 1 Olivia Way & 7 Haylee Court, AP 20, Lots 633 & 634 in an R-1 Zoning District.

J. Aubin said the two lots are already in existence. The intent is to straighten out to lot lines.

P. Carlson of Insite Engineering was present for the application. He stated the two property owners just want to straighten out a jagged piece of land. The two lots will still meet the frontage and area requirements for their zoning district.

J. Roach made a motion to endorse the ANR application, it was seconded by B. Hoch.
Vote (6-0-0) for approval. Those in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch, Peter Aguiar and P. Lee Dunn.

Modified Site Plan application of Herb Chambers 44 Inc. to include storage/parking on adjacent parcel, 185-189 Taunton Avenue, AP 14, Lots 97 & 98 in a Highway Business Zoning District.

J. Aubin stated that it is an updated site plan for the existing business. They are going before the Board of Selectmen for their licensing renewal and in discussions with the Building Inspector it was requested an updated plan be submitted that included the storage space on the neighboring lot.
Scott Burdles was in attendance representing Herb Chambers. He stated that the storage will be utilized on the upper level near the hotel restaurant owned by the owners of the Ramada Inn. They have had a long-standing agreement with the owners.

David Bray was the engineer for the application. He stated that the plan was put together to show the leased area of storage for Herb Chambers on the property where the Ramada is by request of the Building Inspector.

There was no further discussion.

B. Hoch made a motion to approve the site plan of Herb Chamber 44 Inc. for AP 14, Lots 97 & 98 for parking on lot 94, it was seconded by P. Lee Dunn. 
**Vote (6-0-0) for approval. Those in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch, Peter Aguiar and P. Lee Dunn.**

ANR application of RI Seekonk Holdings, LLC/Charles Tapalian to create a new lot line to form Lot A containing 5.356 Acres and Lot B containing 16.687 Acres, 800 Fall River Avenue, AP 8, Lot 3 in Highway Business and R-3 Zoning Districts.

J. Aubin stated it is a preliminary step for the future development of the site. Its intent is to isolate the existing Showcase building onto its own site. A revised ANR plan was submitted after the initial packet was created for the board, so it was sent via email.

D. Bray the only change was the drainage easement was made a bit wider for the at one point by the old shell gas station. The original proposal was for the pipe to be 15 ft. wide but they made a decision to make it wider. The lot has enough frontage and area to conform with the zoning district. The ANR would not affect the current zoning that was divided between highway business and residential. The Showcase lot would be in the HB district and the remaining parcel will remain residential.

J. Aubin stated that the residential parcel is in the feasibility stage for the MA Housing Partnership after completion they would go before the Zoning Board of Appeals for a comprehensive permit.

J. Roach made a motion to endorse the ANR application submitted from RI Seekonk Holdings, LLC/ Charles Tapalian, it was seconded by M. Bourque.
**Vote (6-0-0) for approval. Those in favor taken by roll call: Ch. David Sullivan, Sandra Foulkes, Michael Bourque, Bruce Hoch, Peter Aguiar and P. Lee Dunn.**

**WORK SESSION**

The monthly report for November was provided to the board. The subdivision for Magnolia Ct was continued. It was determined by the Conservation Agent that a nutrient loading analysis was not needed for Pine Brook Ct as the board previously added that as a condition of approval. It is in the process of wrapping up the peer review. Farmland Est completed their sidewalks and Kathleen Ct, Hidden Hills and Wyatt Strawberry Patch are still under development. Jacob Hill Est is still being worked on by their engineer in regards to concerns from the homeowners as well as this board for the bio retention area. They are hopeful to be able to submit an application for street acceptance for the Spring Town Meeting. Jacoby Est has a similar situation being handled. Woo Est has filed an application for street acceptance with the Board of Selectmen.
Ch. D. Sullivan stated if the agenda is clear enough, he would like discussion on default actions on the open developments remaining.

Approval of minutes (2020):
September 23rd
October 13th - grammatical changes requested.
October 27th
November 10th

P. Lee Dunn made a motion to approve the meeting minutes of 9/23, 10/13 (with grammatical changes), 10/27 and 11/10, it was seconded by S. Foulkes. All in favor, none opposed. Vote 6-0-0.

Adjournment: S. Foulkes made a motion to adjourn, it was seconded by B. Hoch. All in favor, none opposed. Vote: 6-0-0.

The meeting was adjourned at 8:27 p.m.

Respectfully submitted by:

Krystal DosSantos
Secretary of the Planning Board

Formally accepted on __/___/2020
in favor, against, abstention