

**MINUTES OF REGULAR PLANNING BOARD MEETING OF JANUARY 25, 2010**  
**Held at 7:00 p.m., Room #315, Town Office Building**  
**400 Slocum Road, Dartmouth, MA**

**Planning Board**

Mr. John V. Sousa, Chairman  
Mr. Joseph E. Toomey, Jr., Vice-Chairman  
Mr. John P. Haran, Clerk  
Mrs. Lorri-Ann Miller  
Mr. Arthur C. Larrivee

**Planning Staff**

Mr. Donald A. Perry, Planning Director  
Mrs. Joyce J. Couture, Planning Aide

The Chairman called the meeting to order at 7:00 p.m. with three Planning Board members and Planning staff present. Both, Mr. Toomey and Mrs. Miller arrived a few minutes late.

**Administrative Items**

**(1) Approval of Minutes**

**Regular Meeting of January 11, 2010**

A motion was made by Mr. Larrivee, seconded by Mr. Haran for discussion, and unanimously voted (3-0) to approve the minutes of the regular Planning Board meeting of January 11, 2010 as written.

**Public Hearing of January 11, 2010 “Village Business District”**

A motion was made by Mr. Larrivee, seconded by Mr. Haran for discussion, and unanimously voted (3-0), to approve the public hearing minutes of January 11, 2010 “Village Business District” as written.

**Executive Session of October 19, 2009**

A motion was made by Mr. Haran, seconded by Mr. Larrivee for discussion, and unanimously voted (3-0), to approve the Executive Session minutes of October 19, 2009 as written.

**Executive Session of November 2, 2009**

A motion was made by Mr. Haran, seconded by Mr. Larrivee for discussion, and unanimously voted (3-0), to approve the Executive Session minutes of November 2, 2009 as written.

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### (2) Correspondence

Legal Notices from City of Fall River

A motion was made by Mr. Larrivee, seconded by Mr. Haran, and unanimously voted (3-0), to acknowledge and file the above referenced correspondence.

### (3) Endorsement of Approval Not Required (ANR) Plans

**Derek Hausladen          Swift Road                                  December 18, 2009**

The Planning Director stated this ANR plan is for property located on Swift Road and it is a conveyance plan. A small 344 square foot parcel is being conveyed from an abutter where a swimming pool encroached on the abutter's land. He noted no new buildable lots are being created and he recommended the plan be endorsed.

A motion was made by Mr. Larrivee, seconded by Mr. Haran for discussion, and unanimously voted (3-0), to endorse the Approval Not Required (ANR) plan of Derek Hausladen for property located on Swift Road and dated December 18, 2009.

**Thomas Yena          Flag Swamp & Collins Corner Roads          December 23, 2009**

The Planning Director noted this ANR plan is for property located between Flag Swamp Road and Collins Corner Road. It creates three lots, all of which meet the frontage and area requirements of the Single Residence B zoning district. Mr. Perry recommended plan endorsement.

A motion was made by Mr. Haran, seconded by Mr. Larrivee for discussion, and unanimously voted (3-0), to endorse the Approval Not Required (ANR) plan of Thomas Yena for property located off Flag Swamp and Collins Corner Roads and dated December 23, 2009.

**Brady Estates, LLC          Hixville Road                                  February 9, 2009**

The Planning Director stated this ANR plan is for property located on the west side of Hixville Road just north of I-195. It creates two new lots, which meet the frontage and area requirements of the Limited Industrial zoning district. He pointed out another lot in the rear will be conveyed to the Town of Dartmouth. Mr. Perry recommended the plan be endorsed.

A motion was made by Mr. Haran, seconded by Mr. Larrivee for discussion, and unanimously voted (3-0), to endorse the Approval Not Required (ANR) plan for Brady Estates, LLC for property located off Hixville Road and dated February 9, 2009.

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### **(4) Letter of support for Article 1 – Town Wind Turbines**

Brief discussion ensued on the draft letter of support on Article 1 for Special Town Meeting. Board members were in agreement that although there was never an official vote from the Planning Board, prior discussion indicated that the Board supported this article.

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted (3-0) to send a letter of support to the Select Board on Article 1 which would provide funding for the design and construction of two Town-owned wind turbines.

The Planning Board is in support of this article because the turbines will benefit the Town fiscally and environmentally. Wind energy can reduce our dependence on oil and reduce greenhouse gases. It provides clean, renewable energy. The Alternate Energy Committee has done extensive research and provided documentation of the substantial economic benefits to the Town. The Planning Board wants to go on record as wholeheartedly supporting Article 1.

Mr. Toomey arrived at this time being 7:12 p.m.

### **(5) Endorsement of Definitive Subdivision Plan entitled “Bush Gardens”**

The Planning Director stated this is a 2-lot subdivision to be located off Bush Street. The appeal period has passed, and the plans and covenants are in order. He recommended the Planning Board endorse the plan.

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted (4-0) to endorse the Definitive Subdivision Plan entitled “Bush Gardens” dated October 20, 2009.

### **(6) Review of Planning Board’s 2009 Annual Report**

Brief discussion ensued on the Planning Board’s 2009 Annual Report. In referencing the parking plan chart, the Chairman asked staff to include in next year’s report the number of parking plans processed each year, as well.

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted (4-0) to approve the Planning Board’s 2009 Annual Report as written.

### **(7) Planner’s Report**

- The Planning Director reminded Planning Board members they need to take the online ethics exam. In addition, they need to give the Town Clerk the signed statement that they also had received the Conflict of Interest information.

Mrs. Miller arrived at this time being 7:17 p.m.

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- The Planning Director said he is working with the Select Board to develop a tree cutting and trimming policy which was a result of tree trimming by NSTAR this past Fall. The policy would provide guidance to various Town Boards, the Tree Warden, and departments which have tree cutting approval authority.
- SRPEDD provided a Road Safety Audit for Hixville Road and Reed Road. One highlight was the use of better signs at curves.
- Working with Rich Rheume on two OSRD subdivision plans. One for Old Westport Road near the University and the other on Gidley Town Road.
- Attended MMA Trade Show. Participated in 3 workshops all very interesting. They were "Developing Healthy Communities", "Using Social Media for the Community" and "Going Green, What Does It Mean".
- Dave Cressman held a meeting on Brady Estates. The owner of the project would like to remove the 40B approval and then seek variances and waivers to approve the project. The developer claims he cannot sell the affordable houses. The Planning Board was generally not in favor of granting variances and waivers under its jurisdiction.

### **(8) For Your Information/New Business**

- Letter to David Cressman re: Brady Estates
- Planning Board's FY'2011 Budget
- Planning staff timesheets
- Mrs. Miller read an email she received from Jason Wentworth, the Planning Board's liaison on the Finance Committee. She explained she was contacted by Mr. Wentworth as a result of her comments at Spring Town Meeting related to the loss of the Principal Clerk's position through budget cuts for F/Y'10. It seems the Finance Committee had no idea those cuts were made without any input from the Planning Board. Mr. Wentworth has indicated he is very willing to come before the Planning Board to discuss staffing and other issues.
- The possibility of getting an intern was discussed. Mr. Haran also mentioned Mrs Dias and Mr. Michaud indicated they would be willing to meet with Planning staff to discuss staffing issues.
- Mr. Toomey spoke briefly on the three workshops he attended at the MMA conference.
- Lengthy discussion ensued on this year's proposed budget. Since the budget was already turned in to meet the deadline for submission, the Planning Board took no vote. In general, it was agreed the budget is a work in progress and a meeting with the Finance Committee may provide direction.

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### Long-Range Planning

#### **(9) Discussion of Limited Industrial District zoning update**

Discussion continued on zoning concepts for the Limited Industrial District. Most discussion centered on whether the Limited Industrial District should be broken up into sub-districts with office and high-end industrial uses located in areas with prime infrastructure, while uses such as contractors and warehousing should be located elsewhere. Mr. Haran made mention that he spoke with Scott Costa, Bufftree Building Co., and Mr. Costa was very interested in sharing his ideas on this zoning proposal with the Board. There was a brief discussion on what height is needed for a 3-storey office building. Since the Planning Board agreed to close the meeting at 9:30 p.m., further discussion on the Limited Industrial District update was postponed to the next meeting.

The Chairman asked if there was any other business this evening. There was none. Mr. Sousa noted that the next Planning Board meeting is scheduled for February 8, 2010, in room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn the meeting.

A motion was made by Mr. Haran, seconded by Mr. Larrivee, and unanimously voted (5-0), to adjourn this evening's meeting at 9:32 p.m.

Respectfully submitted,  
Mrs. Joyce J. Couture  
Planning Aide