

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 28, 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. John P. Haran, Vice Chairman
Mr. Joseph E. Toomey, Jr., 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 all Planning Board members and Planning staff present.

Administrative Items

(1) Approval of Minutes

Regular Meeting of June 21, 2010

A motion was made by Mr. Toomey, duly seconded by Mr. Larrivee for discussion, and unanimously voted (5-0) to approve the minutes of the regular Planning Board meeting of June 21, 2010 as written.

(2) Invoices

Donald Perry	dated June 23, 2010	for \$28.00
re: mileage reimbursement		

A motion was made by Mrs. Miller, duly seconded by Mr. Toomey for discussion, and unanimously voted (5-0) to approve payment of the above listed invoice.

(3) Correspondence

Legal Notice from City of Fall River

A motion was made by Mr. Toomey, duly seconded by Mr. Haran for discussion, and unanimously voted (5-0), to acknowledge and file the above referenced legal notice.

(4) Update on Project Timeline Chart

A motion was made by Mr. Toomey, seconded by Mr. Haran, and unanimously voted (5-0) to acknowledge and file the update on the Project Timeline Chart.

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(5) Release of lots in the Definitive Subdivision entitled “John Alden Farm - West”

The Planning Director noted the Treasurer’s Office has confirmed that surety has been posted in the amount of \$35,000. as estimated by the Department of Public Works. He stated the paperwork is in order and the lots can be released.

A motion was made by Mrs. Miller, duly seconded by Mr. Haran, and so voted (3-0) with Mr. Sousa and Mr. Toomey abstaining to release lots 34 through 42 inclusively in the Definitive Subdivision Plan entitled “John Alden Farm – West”.

(6) Letter of support for Dartmouth Community Park

The Planning Director stated that the Park Department is asking the various Boards for a letter of support to be submitted to the Community Preservation Committee for the Dartmouth Community Park being constructed on Dartmouth Street. He pointed out the sponsors of the Community Park need CPC funding for the playground equipment.

Discussion ensued.

Although most Board members were supportive of having a park, Board members voiced objection to the restriction that during school hours the park was not available to the public. The land is owned by the Park Department and taxpayers should have full entitlement to use the playground at all times. In the end, the Board decided not to send a letter of support.

(7) Planner’s Report

- The Planning Director briefed the Board on the SRPEDD meeting he attended last Wednesday night. He spoke about the presentation by Greg Guimond on the train stations proposed for Kings Highway and Pearl Street in New Bedford.

(8) For Your Information/New Business

- Informational guide about Biotechnology
- Board of Appeals decisions
- Planning Staff timesheets
- Confirmation notice to Planning Board re: Special Municipal Employee designation

John Haran reported on the Charter Review Committee meeting he attended last week. He noted the Committee is looking at re-organizing jurisdiction of several Town departments such as the Board of Public Works, Board of Health and Planning Board.

The Planning Director was asked to get information on terms of the Planning Board members. Also, he was to research through Mass Municipal Association statistics on how many towns have elected vs. appointed Planning Board and Board of Health representation.

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In response to a question from Mr. Toomey concerning the notice from Dave Cressman on Special Municipal Employee designation, Board members clarified that the term expiration date referred to the Special Municipal Employee not the Board members elected term.

Long-Range Planning

(9) Review of revised Office Industrial District bylaw

In referring to the Board's draft copy of Section 14A – Office Industrial District, the Planning Director pointed out all the suggested revisions from the last review have been incorporated into the bylaw and the revisions are identified.

Discussion focused on the wording of Section 14A.207 Research and Development Laboratories and Facilities. The Planning Director wanted to make it clear that biotechnology is allowed. Board members agreed, the language needed to be tweaked. The Planning Director was to research and propose suitable language for the next meeting.

Executive Session

(10) EXECUTIVE SESSION - M.G.L., Chapter 39, Section 23B(3) re: South Wharf Subdivision litigation

In a roll call vote, a motion was made by Mrs. Miller, seconded by Mr. Larrivee, and unanimously voted (5-0), to recess the Planning Board's regular meeting at 7:54 p.m. in order to go into Executive Session regarding on-going litigation concerning the Definitive Subdivision Plan called South Wharf for property located on Elm Street opposite Harbor Street.

Lorri-Ann Miller – yes; Arthur Larrivee – yes; John Haran – yes; Joseph Toomey, Jr. – yes; John Sousa – yes.

The regular meeting resumed at 8:13 p.m.

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 July 26, 2010, in room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn.

A motion was made by Mrs. Miller, seconded by Mr. Larrivee, and unanimously voted (5-0), to adjourn this evening's regular meeting at 8:13 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide