

MINUTES OF REGULAR PLANNING BOARD MEETING OF APRIL 4, 2011
Held at 7:00 p.m., Planning Board Meeting 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

Cont. Public Hearing of March 28, 2011 “Village at Cedar Dell”

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 continued public hearing of March 28, 2011 “Village at Cedar Dell” as written.

(2) Invoices

Donald A. Perry dated March 19, 2011 for \$72.72
re: mileage reimbursement for seminar

A motion was made by Mrs. Miller, duly seconded by Mr. Haran for discussion, and unanimously voted (5-0) to approve payment of the expense voucher for Donald A. Perry dated March 19, 2011 for \$72.72.

(3) Correspondence

Legal Notices from Conservation Commission

A motion was made by Mrs. Miller, duly seconded by Mr. Toomey, and unanimously voted (5-0) to acknowledge and file the above referenced correspondence.

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(5) Time extension request on Off-Street Parking Plan for Stephen's Hair Salon

The Planning Director noted the Board of Appeals has continued their public hearing on this project which has necessitated this request.

A motion was made by Mr. Haran, duly seconded by Mr. Larrivee, and unanimously voted (5-0) to approve the time extension request on the deadline for action on the Off-Street Parking Plan for Stephen's Hair Salon from April 8, 2011 to July 8, 2011.

(6) Update on Project Timeline Chart

The Planning Director mentioned the public hearing on the Solar Farm Bylaw scheduled for this evening will be continued at the request of Town Counsel. Mrs. Miller asked that the project timeline chart identify the sponsor of the article.

(7) Appointment of Planning Board's representative to SRPEDD Commission

Mrs. Miller said she would like to remain as the Board's representative to SRPEDD so she can continue to advocate for the Faunce Corner Road project.

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted to reappoint Mrs. Miller as the Planning Board's representative to the SRPEDD Commission.

(9) Planner's Report

- Assisting Select Board on a video sweepstakes zoning article

Mr. Perry reported that the Select Board has hired Legal Counsel to develop a bylaw which would place a moratorium on businesses providing electronic machines or devices to conduct sweepstakes or games of chance. This moratorium would allow the opportunity for the Town to study and propose solutions to minimize the impacts of such businesses.

- Proposed car dealership at site of former McDonalds on State Road, auto repair variance in aquifer

The Planning Director stated that as a result of a meeting with various parties regarding the above, it was felt the Planning Board and Board of Health should weigh in on whether a variance to allow auto repair in the aquifer was appropriate. It was the Planning Board's consensus (4-1) that the Planning Board would not recommend a variance to allow auto repair in the aquifer. However, John Haran stated he could consider a variance

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- Attending American Planning Association National Conference

Mr. Perry reminded the Planning Board that he will be attending the APA National Conference in Boston from April 9th through April 12th.

(10) For Your Information/New Business

- Board of Appeals Decisions
- Planning Staff timesheets
- Update from John Haran on Charter Review Committee Meeting and report on Charter experience from various Towns

Mr. Haran mentioned although some of the changes being proposed by the Charter Review Committee have merit, the silver bullet may be which way the power structure is moving to be.

For the next agenda, Mr. Haran asked that the Board revisit discussion on moving Planning Board meetings to Tuesdays.

The Chairman questioned Mr. Perry as to why he has not responded to Town Counsel's letter. Mr. Perry said he needed time to think it through and make a proper response. He said he will have his response available by close of business on Thursday.

Public Hearing

- (4) **7:30 P.M. – PUBLIC HEARING - Proposed zoning articles for Annual Spring Town Meeting. The first article would revise Section 11.506 by allowing directional signs in the General Business District. The second zoning article would create a new Section 37 in the Zoning By-Laws entitled “Large-Scale Ground-Mounted Solar Photovoltaic Installations.” The third article would amend Section 11, General Business Districts by allowing single family dwellings in areas that have Smart Growth Overlay Districts.**

A motion was made by Mr. Larrivee, seconded by Mr. Toomey and unanimously voted (5-0), to recess the Planning Board's regular meeting at 7:40 p.m. in order to go into a public hearing¹ concerning proposed zoning articles as described above for Annual Spring Town Meeting.

The regular meeting resumed at 8:16 p.m.

¹ For more information, see minutes of Planning Board's Public Hearing of April 4, 2011 “Town Meeting Zoning”

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Administrative Items

(8) Reports with Recommendation on zoning articles for Annual Spring Town Meeting

Since the public hearing concerning the zoning articles was continued, this agenda item was deferred.

(11) Discussion of long-range planning projects – Section 16 zoning

The Planning Board spent the remainder of the meeting reviewing the Use Table and proposed parking standards in the Section 16 zoning update.

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 April 25, 2011, in room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn.

A motion was made by Mr. Larrivee, seconded by Mr. Toomey, and unanimously voted (5-0), to adjourn this evening's regular meeting at 9:40 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide