

MINUTES OF REGULAR PLANNING BOARD MEETING OF JULY 25, 2011
Planning Board's Meeting Room #315, Town Office Building
400 Slocum Road, Dartmouth, MA

Planning Board

Mr. Joseph E. Toomey, Jr., Chairman
Mr. John P. Haran, Vice Chairman
Mrs. Lorri-Ann Miller, Clerk
Mr. John V. Sousa
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 four Planning Board members and Planning Staff present. Mr. Haran arrived late at 7:52 p.m.

Appointment

- (1) 7:00 P.M. – APPOINTMENT – Attorney Anthony Savastano (Town Counsel):
Continued discussion on language for Section 16.900 - Waiver of
Requirements**

Present: Anthony Savastano, Town Counsel

Attorney Savastano was present this evening to discuss the draft waiver language he had prepared for the Board's review and consideration. He described to Board members various scenarios on how this proposed language would be applied to the reconstruction of existing structures in various retail plazas. Attorney Savastano also asked for Board input on their objective to preserve green space in parking lots.

Lengthy discussion ensued.

As a result of this exchange of ideas, Board members felt it would be best to continue fine tuning the language for this zoning section and not submit anything to Town Meeting until the entire Section 16 revisions are ready.

Attorney Savastano and Mr. Perry would continue developing the language regarding grandfathering and a special permit to reduce parking spaces to save green space.

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Administrative Items

(2) Initial review of Off-Street Parking Plan entitled “Correia Building Expansion”

Present: Emanuel Correia, applicant
Nathan Ketchel, Garcia, Galuska and DeSousa Engineering

The Planning Director stated this off-street parking plan is for a 20 space parking facility for a renovated existing building at 692 State Road (between New York Avenue and Ohio Avenue). He said the plan is an upgrade of the property to provide paved parking, which is currently graveled.

Nathan Ketchel, representing the applicant, provided an overview of the project.

Lengthy discussion ensued on the proposed paving, access to the site using an existing paper street (New York Avenue), and issues related to State requirements for turning into New York Avenue and how it affects an existing utility pole.

Mr. Haran arrived at this time being 7:52 p.m.

Concluding discussion, the applicant was to pursue with the State what road width and turning radii would be required from State Road into New York Avenue. Those standards would determine whether the utility pole will need to be relocated or not.

Mr. Correia also agreed to request a time extension on the deadline for action.

A motion was made by Mrs. Miller, duly seconded by Mr. Larrivee, and unanimously voted (5-0) to grant a time extension on the Planning Board's deadline for action from August 24, 2011 to September 30, 2011.

(3) 7:30 P.M. – APPOINTMENT - Richard Rheume: Discussion on corrected lot coverage for Stephen's Hair Salon off State Road

Present: Richard Rheume, Prime Engineering Inc.

The Planning Director mentioned that Mr. Rheume requested this appointment to explain to the Board an impervious lot coverage discrepancy incorrectly listed on the information previously provided to the Planning Board.

Brief discussion ensued. Board members expressed no problem with the revised plan.

A motion was made by Mrs. Miller, duly seconded by Mr. Haran, and unanimously voted (5-0) to send the following comments to the Board of Appeals regarding the revisions:

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1. The Planning Board is satisfied with the design layout of the parking facility as shown on the revised plan entitled "Site Layout Plan, 8 Champion Terrace" dated 5/20/11 revised to 7/22/11. This plan will still need to be approved by the Planning Board as submitted under Section 16 of the Dartmouth Zoning By-Laws.
2. The Planning Board is satisfied with the proposed lot coverage of 44.1% which is only an increase of 2.6% over the lot coverage granted in 1984.

Administrative Items

(4) Approval of Minutes

Regular Meeting of July 11, 2011

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran for discussion, and unanimously voted (4-0) to approve the minutes of the regular meeting of July 11, 2011 as written. Mrs. Miller abstained.

(5) Correspondence

Legal Notices from Town of Freetown
Legal Notices from Board of Appeals
Legal Notices from Conservation Commission

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

(6) Update on Project Timeline Chart

The Planning Director said he would update the timelines for the Section 16 rewrite since the Planning Board doesn't want to rush it.

(7) Release of lots in the Definitive Subdivision Plan entitled "The Village at Cedar Dell"

The Planning Director noted all the proper legal documentation has been received and the Town Treasurer has confirmed receipt of surety posting in the amount of \$73,000. as estimated by the Department of Public Works to complete all required improvements.

A motion was made by Mr. Sousa, duly seconded by Mr. Haran, and unanimously voted (5-0) to release in the Definitive Subdivision Plan entitled "The Village at Cedar Dell" the following lots and parcels: Lot 1A, Lot 4A, Lot 5A, Lot 7A, Lot 8A, Lot 6-8, Map 41, Lot 6-3, Map 41 and Parcel 3A, Parcel 3B, Parcel 6A, the Drainage/Access parcel, and the Conservation parcel.

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(8) Planner's Report

- Update on tent permits

Upon request from Mr. Haran at the last Board meeting, the Planning Director reported back to the Planning Board with information on the current requirements of erecting tents for temporary functions. He said function tents are subject to State Building Code regulations and State Fire Codes.

Discussion ensued. It was noted that the tent permit fee has been lowered from \$75. to \$35. and the permit application could be made simpler.

- Notice of mediation date for South Wharf

The Planning Director reminded the Planning Board that mediation for South Wharf has been scheduled for August 25, 2011 at 10:00 a.m. in room #315 at the Town Hall. However, Attorney Savastano would like to meet with the Planning Board at 9:00 a.m. to prepare for the mediation meeting. Mr. Perry stated he would officially post the meeting and reserve the meeting room.

- Zoning bylaw assistance

The Planning Director stated that Mr. Cressman has requested his assistance to work with Deborah Melino-Wender on developing a gaming bylaw. It was noted that this item was postponed from the last meeting to discuss with a full Board. The Board felt it would be prudent to follow this issue at the State level but did agree that Mr. Perry could provide a limited amount of time to assist if needed.

(9) For Your Information/New Business

- Planning Board Appointment to Municipal Facilities Committee

It was the consensus of the Planning Board to appoint the Chairman, Joseph E. Toomey, Jr., as their delegate to the Municipal Facilities Committee.

- Letters to Board of Appeals from Planning Director
- Board of Appeals decisions
- Subcommittee Reports

Mr. Haran reported that Doug Roscoe, Charter Review Commission, did a good job before the Select Board this evening and the Committee recommendations should move forward.

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Mrs. Miller reported on three subject matters. First, she spoke about the opportunity the Town has to update the 2007 Master Plan to include new census data for minimal cost through SRPEDD. It would also extend the date the State looks at when applying for grants. Next, she spoke about Shawn McDonald becoming a member of the MPO which prioritizes transportation projects such as the Faunce Corner Road/I-195 Interchange/Cross Road area. Lastly, she spoke briefly on the Tucker Road bypass project.

- Reviewer's Meeting update
- Planning staff timesheets

The Planning Aide reminded the Board that she is on vacation the week of August 15th and there will be no clerical support to prepare for the Board meeting. It was suggested that the Planning Director contact Mr. Cressman to see if the floater would be available that week.

Mr. Toomey noted that the next Planning Board meeting is scheduled for August 8, 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, duly seconded by Mr. Haran, and unanimously voted (5-0), to adjourn this evening's regular meeting at 9:02 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide