

MINUTES OF PLANNING BOARD PUBLIC HEARING OF DECEMBER 5, 2011
Definitive OSRD Subdivision Plan entitled "The Preserve at High Hill"
7:15 p.m., Room #315, Town Office Building, 400 Slocum Road

Planning Board Members

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

Planning Staff

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

The Chairman opened at 7:17 p.m. the public hearing¹ concerning a Definitive (OSRD) Subdivision Plan entitled "The Preserve at High Hill" which proposes to create a 3-lot subdivision with 1 open space parcel from a 6.06-acre tract of land (Assessor's Map 77, Lot 9-1) located on the west side of Faunce Corner Road just north of Flagg Swamp Road. No new roads are proposed, only a common driveway. The plan was prepared by SITEC, Inc. for Long Built Homes, 158 Charles McCombs Boulevard, New Bedford, MA 02745 for land owned by Janice E. Baker, Trustee of Wooler Nominee Trust, c/o Long Built Homes, Inc. 158 Charles McCombs Boulevard, New Bedford, MA 02745. The plan was submitted to the Planning Board office on November 9, 2011. The applicant is also requesting a Special Permit for Open Space Residential Design, as provided for in Section 6 of the Zoning By-Laws, to allow a reduction in frontage, area, lot coverage, lot shape, and setback requirements for the proposed house lots.

All Planning Board members and Planning staff were present.

A motion was made by Mrs. Miller, seconded by Mr. Haran for discussion, and unanimously voted (5-0), to waive the reading of the legal notice, which appeared in The Chronicle on Wednesday, November 16, 2011, and again on Wednesday, November 23, 2011.

The Planning Director stated the application for the Definitive Subdivision Plan and the application for a Special Permit were officially time stamped in the Town Clerk's office on November 9, 2011, which begins the time line for action by the Planning Board on this proposal. Mr. Perry further noted that the legal notice was sent on November 10, 2011 to the parties in interest, the Planning Board's of Fall River, Westport, Freetown, Gosnold, and New Bedford; and posted in the Town Office Building.

The Planning Director then proceeded to read the following correspondence into the record:

¹ For more information, see minutes of the Planning Board's regular meeting of December 5, 2011

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Proposed OSRD Definitive Subdivision Plan entitled “The Preserve at High Hill”

- Eleven-page OSRD project overview submitted with the application dated Nov. 4, 2011
- Planning Staff’s Review
- Letter from Department of Public Works dated Nov. 18, 2011
- Letter from Fire Chief Arruda dated Nov. 28, 2011
- Letter from the Board of Health dated Nov. 30, 2011

The Chairman asked if the applicant wished to speak.

Lee Castignetti spoke on behalf of Long Built Homes. He stated that after speaking with Chief Arruda, the plans will be revised to show an 18 foot access way from Faunce Corner Road up to lot 3 as the Chief has requested. Mr. Castignetti also responded to the comments from the Board of Health, pointing out that the homes will not have more than 4 bedrooms.

The Chairman asked for comments and/or questions from the public.

Robert & Suzanne Vicente, 35 Flagg Swamp Road, questioned the accuracy of the legal notification. Mr. Vicente stated that he found out about the hearing this evening through a neighbor and questioned why he did receive notice since he was a direct abutter.

Brief discussion ensued and it was determined the “parties in interest” submission information was flawed. The Planning Board felt it was necessary to continue the public hearing in order to notify the omitted “parties in interest” and avoid any legal complications.

In a roll call vote, a motion was made by Mr. Sousa, duly seconded by Mrs. Miller, and unanimously voted (5-0) to continue this public hearing to December 19, 2011 at 7:15 p.m. in room #315 of the Town Office Building, 400 Slocum Road..

Joel Avila – yes, John Sousa – yes, Lorri-Ann Miller – yes; John Haran – yes; Joseph Toomey, Jr. – yes.

Tonight’s public hearing was closed at 7:55 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide