

MINUTES OF REGULAR PLANNING BOARD MEETING OF MAY 13, 2013
Select Board's Meeting Room #304, Town Office Building
400 Slocum Road, Dartmouth, MA

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DARTMOUTH TOWN CLERK

Planning Board

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

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. Mr. Avila noted that it appears there may be a function at the Dartmouth Middle School this evening and to give the public a few extra minutes to find parking, the public information session will be delayed for a few minutes.

Administrative Items

(1) Approval of Minutes

Regular Meeting of April 29, 2013

A motion was made by Mr. Sousa, duly seconded by Mr. Mickelson for discussion, and unanimously voted (5-0) to approve the above referenced minutes as written.

(2) Invoices

W.B. Mason dated April 23, 2013 for \$277.43
re: miscellaneous office supplies, custom stamp and nameplate

A motion was made by Mr. Toomey, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to approve payment of the above referenced invoice.

(3) Correspondence

Legal Notices from City of Fall River
Legal Notices from Town of Westport
Legal Notices from Dartmouth Board of Appeals
Legal Notices from Dartmouth Conservation Commission
Letter from James Costa dated April 25, 2013

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

(4) Endorsement of Approval Not Required (ANR) Plans

King Fisher Corp.

Fisher Road

May 8, 2013

Present: Thomas Hardman, Site Design Engineering
Attorney John Yunits, representing No Fossil Fuel

The Planning Director stated this ANR plan is for property located on the east side of Fisher Road just east of Gidley Town Road. It combines existing parcels into one lot. The combined lot meets the frontage and area requirements of the Single Residence B zoning district.

Brief discussion ensued with Mr. Hardman responding to questions from Mr. Toomey related to the proposed solar array as it relates to this ANR plan.

A motion was made by Mrs. Miller, duly seconded by Mr. Mickelson, and so voted (4-0) to endorse the ANR plan for King Fisher Corp. for property located off Fisher Road and dated May 8, 2013. Mr. Sousa abstained because he is a direct abutter to this property.

(5) Acknowledgement of Chapter 91 Waterways Application of Dartmouth Natural Resources Trust, Inc. for property off Smith Neck and Rock O'Dundee Roads

The Planning Director stated that this Chapter 91 Waterways Application is for a boardwalk to connect open space parcels owned by the Trustees of Reservations and the Dartmouth Natural Resources Trust. Mr. Perry noted the boardwalk is located at the northern end of the Little River Salt Marsh to provide public access to nature trails.

A motion was made by Mr. Toomey, and duly seconded by Mr. Sousa, and unanimously voted (5-0) to authorize the Planning Director to sign the Chapter 91 Waterways Application of DNRT for property located off Smith Neck Road and Rock O'Dundee Road.

Appointment

(6) 7:00 P.M – PUBLIC INFORMATION SESSION - Residents and business owners of the Bliss Corner and Dartmouth Street General Business Zoning District: Information seeking session on zoning effectiveness and needs of the Bliss Corner and Dartmouth Street zoning district

The Chairman addressed the audience explaining that the Planning Board reviews its long range priority list every year and identifies areas of the Town's Zoning Bylaws which need improvement. He noted the Bliss Corner and Dartmouth Street area which is currently zoned General Business has been recognized by the Planning Board as an area which

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could benefit from a mixed use zoning proposal and the neighborhood has been invited this evening to discuss some of the concepts. Mr. Avila provided procedural information on this evening's meeting format.

The Planning Director proceeded with a PowerPoint Presentation to familiarize those present with the existing conditions in the area and some of the zoning issues. Directly, Mr. Perry read into the record an opinion letter from Chris and Lisa Wheelden dated May 4, 2013.

Comments from the audience were entertained. The following residents offered their viewpoint on zoning for this area:

Jennifer Sylvia, 12 Cove Road, stated she owns a split lot between two zoning districts (business and residential) which creates use problems. Ms. Sylvia said she likes the idea of mixed use in the area but the business should suit the size of the lot. For instance, smaller businesses on smaller lots and bigger businesses on larger lots. Big businesses should not be overcrowded onto small lots.

Joseph Medeiros, 675 Dartmouth Street, stated he bought his house knowing it was a business zone, and he wants the Planning Board to leave the zoning along Dartmouth Street alone. He mentioned maybe the back lots away from Dartmouth Street could be rezoned to residential.

David Tatelbaum, 718 Dartmouth Street, stated he has no problem with rezoning the residential areas to residential zoning. The Board should keep the mixed use on Dartmouth Street but parking could be a problem. Will public parking be provided to get cars off the streets? Mr. Tatelbaum also mentioned the number of parking spaces required by zoning for the Big Value Outlet is excessive.

Nancy Pimental, 148 Rogers Street, stated that she does not want to see off-street parking requirements reduced. She spoke about a project currently before the Board of Appeals and voiced concern that parking will overflow into the neighborhood.

Paul Cabral, 13 Gorham Street, said he thought the mixed use zoning is a good idea. He said the Planning Board is on the right track.

Ed Pimental, 148 Rogers Street, stated he is not opposed to mixed use redevelopment as long as it is done the right way. He felt the residential neighborhoods should be preserved; keep the businesses on Dartmouth Street.

Liz Olympio, 613 Dartmouth Street, stated she agrees with the concepts the Board is considering but there needs to be a definition of small business. Ms. Olympio further made it known that she has a Master's degree in Planning.

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Each of the Planning Board members offered their ideas and thoughts, emphasizing that the purpose of this session was to hear from the neighborhood and their comments will be taken into account and considered when the zoning bylaw changes are developed.

In closing, the Chairman thanked everyone for coming this evening. Mr. Avila noted the Planning Board will move forward in developing new zoning language for the area. Interested individuals can follow the Planning Board's meeting agendas on the Town's website or call the Planning Office for updates.

(7) For Your Information/New Business


- Legal Notice for Integrity Lane Subdivision Plan
- Letter from Westport River Watershed Alliance dated May 1, 2013
- Planning Board letters to others
- Subcommittee Reports
- Board of Appeals decisions
- Planning Director's review for Board of Appeals
- Planning staff timesheets

The Planning Director mentioned the Select Board will be holding a public hearing on Monday, May 20, 2013 regarding the Priority Development Areas Map if any of the Board members want to attend.

With no further business, a motion was made by Mr. Sousa, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to adjourn this evening's regular meeting at 8:35 p.m.

Respectfully submitted,
Joyce J. Couture
Planning Aide

APPROVED BY:
The Dartmouth Planning Board

 5/3/13