



MINUTES OF REGULAR PLANNING BOARD MEETING
May 19, 2014
Planning Board's Meeting Room #315
Town Office Building, 400 Slocum Road, Dartmouth, MA

Planning Board

Mr. Joel Avila, Chairman
Mr. Joseph Toomey, Vice Chairman
Mrs. Lorri-Ann Miller, Clerk
Mr. John V. Sousa
Mr. Kevin Melo

Planning Staff

Mr. Donald A. Perry, Planning Director
Ms. Jane Kirby, Planning Aide

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The Chairman called the meeting to order at 7:00 p.m., with Planning Board members and Planning Staff present. Kevin Melo was absent.

Administrative Items

(1) Approval of Minutes

Regular Meeting of May 5, 2014

A motion was made by Joseph Toomey, duly seconded by John Sousa for discussion, and voted (4 yes -1 absent) to approve the regular Planning Board meeting minutes of

(2) Correspondence

Legal Notices from Dartmouth Board of Appeals
Legal Notices from Dartmouth Conservation Commission
Legal Notices from town of Westport
Legal Notice from Town of Freetown

A motion was made by Joseph Toomey, duly seconded by John Sousa for discussion, and voted (4 yes -1 absent) to acknowledge and file the above-referenced correspondence.

(3) Endorsement of Approval Not Required (ANR) Plan

Mosher Lane

Davis Life Estate

April 24, 2014

The Planning Director stated that this ANR is for land located on the southeast corner of Mosher Lane and Hixville Road, creating two lots – one buildable lot and one lot with an existing residence at 232 Hixville Road. He noted that both lots meet the frontage and area requirements of the Single Residence A District, and recommended endorsement.

A motion was made by John Sousa, duly seconded by Joseph Toomey, and voted (4 yes -1 absent) to endorse the above-referenced ANR plan.



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(4) Planning Board Appointments: Plan Approval Authority (Lincoln Park)
Alternate Planning Board Member

The Planning Director stated that he spoke with Kevin Melo and that Kevin would be agreeable if the Board appointed him as its representative on the Lincoln Park Plan Approval Authority.

A motion was made by Lorri-Ann Miller, duly seconded by Joseph Toomey, and voted (4 yes -1 absent) to appoint Kevin Melo to the Plan Approval Authority.

The Planning Director has been unable to contact two former Planning Board members due to unlisted phone numbers. He did reach former Planning Board member Bob Raposa, who stated that he would be honored to fill the position of Alternate Planning Board Member, if chosen.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller, and voted (4 yes -1 absent) to appoint Bob Raposa as the Board's Alternate Member for Special Permits.

Appointment

(5) 7:05 P.M. Appointment – Greg Jones, School Committee
Ana Riley, Superintendent of Schools
Rick Ferreira, Maintenance

RE: Middle School Parking Lot

Greg Jones submitted a proposed plan for the Middle School parking lot. He noted that the primary issue was the safety concern created when the parking lot was repaved and the curbing that separated the sidewalk from the parking lot was removed. At this time, he was seeking the Board's input and will submit a parking plan application/plan for formal review when the parking plan is finalized.

Proposed plan shows:

- A grass strip between the sidewalk and parking lot by cutting the existing pavement and creating a Cape Cod berm edge
- Loam & seed landscaped buffer at the end of the parking lot
- Moves parent pick up/drop off lane closer to Slocum Road and farther away from the building
- 154 parking spaces total
- 28 parking spaces available after school hours (pick up/drop off lane)

Discussion ensued. Suggestions made at this meeting included:



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- Continuing grass strip buffer in front of building at main entrance
- Adding bollards at the north end of the lot to prevent vehicles driving on the sidewalk on the north side of the building
- Signage
- Additional landscaping along Slocum Road property line, where there are openings between existing trees
- Additional paved walk through to enter from the parking lot into the school and sidewalk
- Handicapped space relocation

The Board was pleased that the safety issue will finally be addressed, and asked Mr. Jones about a start date. Mr. Jones stated that funding is available to begin working on the pavement as soon as school is over. He noted that the landscaping may take longer until more funds becomes available.

7:39 P.M. Appointment ended

Public Hearing

(6) Scenic Road Request

Request to Remove Seven Trees on Hixville Road

A motion was made by Lorri-Ann Miller, duly seconded by Joseph Toomey, and voted (4 yes – 1 absent) to recess the Planning Board's regular meeting at 7:39 p.m. in order to go into a public hearing¹ for the scenic road public hearing.

8:34 P.M. Planning Board's regular meeting resumed

Administrative Items

(7) Action on Request to Remove Seven Trees on Hixville Road

The Planning Director recommended allowing the removal of 6 Ash trees on Hixville Road since Ash trees will most likely die within 10 years due to the Emerald Ash Borer.

Board discussion concluded that the removal of trees on Hixville Road will not resolve the main safety issue cited at the public hearing, and the Safety Officer represented that no accidents occurred due to a visibility issue with cars leaving Elliot Street. Residents at the public hearing expressed opposition to the tree removal, and no public concern regarding a visibility issue was raised by any

¹ For more information, see minutes of Planning Board's Public Hearing dated May 19, 2014 and entitled "Scenic Road Request"



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residents.

Safety Officer Joe Vieira stated that he is providing facts for the Board and recommended tree removal because of the lack of visibility for cars leaving Elliot Street.

John Sousa motioned to keep the trees on Hixville Road and deny permission for their removal, which was seconded by Joseph Toomey, and voted (4 yes – 1 absent).

8:44 P.M. The Board recessed

8:50 P.M. The Board reconvened for its regular meeting

(8) For Your Information/New Business

Planners Report

NStar will be planting trees along Reed Road and Russells Mills Road as part of the replacement requirement for removing trees along scenic roads.

Deb Wender, Director of Development, invited up to two Planning Board members to a site visit on June 12, 2014 to Dennis, Cape Cod that illustrates a quality high density housing development. Planning Board members expressed their inability to attend but asked for an address so that if they are in the area, they could visit then.

Cell tower applications have been received by the Zoning Board of Appeals for locations on Allen Street, Gulf Road, and Horseneck Road. The hearing is tentatively scheduled for July 8, 2014.

FYI

Discussion regarding "Portable Signs" ensued. The Board expressed the opinion that the policy the Select Board is setting is circumventing the zoning bylaws by allowing more signage that is not really temporary. The Board also felt the Select Board should have waited until SRPEDD completed its sign bylaw study before implementing a portable sign policy that could create sign pollution in Town and enforcement difficulties.

Subcommittee Report

Joseph Toomey stated that the Comm97 soil bylaw may come before the Planning Board if Attorney Savastano recommends that a zoning article be written for a proposed zoning bylaw to regulate fill (Comm97 soils) in Dartmouth.



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(9) Review of Planning Board Long Range Planning Priority List

The Board determined this item will be reviewed at the next meeting to give Kevin Melo the opportunity to voice his opinions.

(10) Long Range Planning – Bliss Corner/Dartmouth Street Mixed Use Zoning

The Planning Director and Planning Board discussed the Bliss Corner Mixed Use District draft bylaw and achieved a consensus on the following:

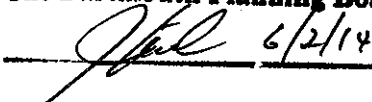
- The minimum lot size could be 5,000 s.f.
- Business apartments should not exceed the square footage of each business use on a lot
- Single and two family residential uses should not be allowed, as it could replace small business over time
- The restaurant exemption for parking should be similar to seating for Naughty Dawgs Restaurant
- Architectural review should probably start at 1,500 s.f. to 2,000 s.f.
- The retail exemption for no parking should be 1,500 s.f.

The Board requested the parking analysis reflect the actual number of parking spaces the restaurants currently have rather than just the required number of parking spaces. The revised parking analysis will be completed and ready for the Planning Board's next meeting of June 2, 2014.

Chairman Avila noted the next Planning Board meeting is scheduled for June 2, 2014 in Room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller, and voted (4 yes – 1 absent) to adjourn this evening's regular meeting at 10:10 p.m.

APPROVED BY:
The Dartmouth Planning Board



Respectfully submitted,
Jane Kirby
Planning Aide



MINUTES OF PLANNING BOARD PUBLIC HEARING
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"Request for Permission to Remove Trees on Hixville Road"
Meeting Room #315
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Planning Board Members

Mr. Joel Avila, Chairman
Mr. Joseph Toomey, Vice Chairman
Mrs. Lorri-Ann Miller, Clerk
Mr. John V. Sousa
Kevin Melo (Absent)

Planning Staff

Mr. Donald A. Perry, Planning Director
Ms. Jane Kirby, Planning Aide

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The Chairman opened the public hearing¹ at 7:40 p.m. concerning the request to remove seven trees on Hixville Road.

Present: Safety Officer Joseph Vieira
Numerous abutters

Chairman Avila proceeded to explain the Board's public hearing procedure.

This hearing was duly advertised in the Chronicle on Wednesday, April 30, 2014 and Wednesday, May 7, 2014.

Lorri-Ann Miller motioned to waive reading the legal ad, which was duly seconded by Joseph Toomey, and voted (4 yes – 1 absent).

The Planning Director read the application information into the record:

The Town's Safety Officer, on behalf of the Selectmen, is requesting to remove seven (7) trees on the west side of Hixville Road, which is a designated scenic road. The trees are located just north of Elliott Street.

He noted that along with the application a traffic study was submitted, and is available to the public upon request.

Chairman Avila invited Officer Vieira to speak at this time.

Officer Vieira stated that residents in the past had been complaining about visibility issues coming out of Elliott Street onto Hixville Road, and that the tree removal will improve visibility for the neighborhood. Issues regarding the danger of speeding and safety issues on Hixville Road were discussed. Different traffic calming solutions were discussed, such as additional lighting, signage, traffic delineators, and pavement

¹ For more information, see minutes of the Planning Board's regular meeting of May 19, 2014



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markings to help identify roadway width and travel surface.

A signature sheet signed by 10 abutters was submitted requesting the Planning Board deny the tree removal request.

Attending abutters expressed concern with removing mature trees that create a natural canopy on this scenic road, and argued that cutting the trees will not resolve the safety issues on Hixville Road. No resident present at this hearing expressed concern with the trees blocking visibility exiting Elliott Street onto Hixville Road.

The Safety Officer agreed that there were two separate issues with Hixville Road, but that visibility exiting Elliott Street was a problem that needed to be addressed, in his professional opinion. He noted that tree cutting will not slow down traffic, but the request to cut down the trees will at least solve the Elliott Street visibility issue.

The Planning Director stated that 6 of the 7 trees requested to be removed were Ash trees that will likely die within 10 years due to the Emerald Ash Borer.

Officer Vieira's traffic study was discussed, with the Board noting that no accidents occurred as a result of a visibility issue leaving Elliott Street onto Hixville Road. The Board also considered the impact of removing fewer trees than requested as a possible solution, and replacing the Ash trees with saplings planted in a way to not block visibility.

Chairman Avila asked if anyone else wished to speak.

No further public comment was received.

Joseph Toomey motioned to continue this public hearing in order to allow time for another site visit before making a final decision on this scenic road request. Motion failed.

A motion was made by John Sousa, which was duly seconded by Lorri-Ann Miller and voted (3 yes; Joseph Toomey no; 1 absent) to close the public hearing at 8:33 p.m. and resume the regular meeting of the Planning Board for action on this request.

Respectfully submitted,
Jane Kirby
Planning Aide