



**MINUTES OF REGULAR PLANNING BOARD MEETING**  
**August 25, 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 A. Melo

**Planning Staff**

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

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DARTMOUTH TOWN CLERK

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

**Administrative Items**

**(1) Approval of Minutes**

Regular Meeting of August 4, 2014  
Public Hearing Minutes of August 4, 2014  
Re: "The Poor Farm" OSRD Subdivision

A motion was made by Kevin Melo, duly seconded by John Sousa for discussion, and voted (4 yes; 1 absent) to approve the regular Planning Board meeting minutes of August 4, 2014.

**(2) Correspondence**

Legal Notices from Dartmouth Board of Appeals  
Legal Notices from Dartmouth Conservation Commission  
Legal Notices from Westport Board of Appeals

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

**(3) Release of Lots in Rhody Estates Definitive Subdivision**

The Planning Director noted that this subdivision is located off High Street. The DPW surety estimate to complete the remaining work is \$10,964. The Town Treasurer confirmed the Guarantee Deposit. The Planning Director recommended the Board vote to release Lots 19 & 20.

A motion was made by John Sousa, duly seconded by Kevin Melo for discussion, and voted (4 yes; 1 absent) to release Lots 19 & 20 from the Performance Covenant.



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Chairman Avila took the next agenda item out of order.

**(7) For Your Information/New Business**

**Planner's Report**

- Hixville Cemetery  
Mr. Perry stated that there is no real update on an actual location. The developer hasn't found any evidence of a cemetery to date.
- Big Value Outlet Driveway  
Mr. Perry stated that the approved off-street parking plan showed a driveway opening, which the owner now thinks is too narrow. Permission is being sought to allow an additional 2 foot widening of the driveway, making each exit lane 12 feet wide.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller, and voted (4 yes; 1 absent) to allow the two exit lanes to be a width of 12 feet.

- SRPEDD Municipal Assistance  
Mr. Perry reminded the Board that SRPEDD allocates 20 hours of municipal assistance each to the Select Board and the Planning Board. Discussion ensued in terms of how the Board would like to utilize this service. The Board requested that Mr. Perry come up with some ideas for consideration.

**Appointment**

- (4) 7:15 P.M. Appointment – Sean Roberts, Summit Smith/Hawthorn**  
Re: Proposed Alternative to Gate

Mr. Roberts explained that the location of a gas easement prevents the installation of two smaller arms to span the driveway. As a result, a 20' wide arm would need to be installed, which would have a 4 second cycle time and would be too heavy to automatically open if power is lost. The proposed alternative showed a 22' foot wide, 14 foot high sign reading "Restricted Access: Employees & Deliveries Only". Board discussion ensued, which included possible relocation of the gate. Concluding, the Board determined to keep the original gate requirement (Condition 2 of the Certificate of Approval).



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**Public Hearing**

**(5) 7:30 P.M. Zoning Articles for Fall Town Meeting**

- Article A** Amend zoning map by changing lots currently zoned General Business in areas located off Russells Mills Road, Dartmouth Street, and Cove Road and along those streets and roads to General Residence.
- Article B** Amend the zoning bylaws by creating a new zoning district entitled "Bliss Corner Mixed Use District"
- Article C** Amend zoning map by changing lots currently zoned General Business in areas located on or near Russells Mills Road, Dartmouth Street, and Cove to the Bliss Corner Mixed Use District
- Article D** Amend Section 20 – Aquifer Protection District of the zoning bylaws by deleting Subsection 20.505 in its entirety, which refers to nitrogen loading requirements.
- Article E** Amend the zoning bylaws by deleting in its entirety Section 2B – Medical Marijuana Moratorium, since the Town has passed a Medical Marijuana Bylaw.
- Article F** Amend the zoning bylaws by adding a new Section 24, which would regulate contaminated fill.
- Article G** Amend Section 16 of the zoning bylaws by including Bicycle Parking Guidelines and Design Standards.

A motion was made by John Sousa, duly seconded by Kevin Melo, and voted (4 yes – 1 absent) to recess the Planning Board's regular meeting at 7:30 p.m. in order to go into a public hearing<sup>1</sup> for the above-referenced zoning articles.

The public hearing for Articles F and G has been continued to September 22, 2014 at 7:30 p.m. in Room #315.

9:00 P.M. Planning Board's regular meeting resumed

**Appointment**

- (6) Appointment – Steve Gioisa, P.E., SITEC, Inc.  
Harry and Mary Ann Booth**

Re: Proposed OSRD Subdivision off Woodcock Road

Steve Gioisa gave an overview of the proposed OSRD subdivision, which would be located off Woodcock Road and Russells Mills Road (17 acres). He proceeded to review both a conventional subdivision scheme and the OSRD

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<sup>1</sup> For more information, see minutes of Planning Board's Public Hearing dated August 25, 2014 and entitled "Zoning Articles for Fall Town Meeting".



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scheme. The proposal includes preserving open space while clustering 5 OSRD lots closer to Woodcock Road and maintaining the 6<sup>th</sup> lot with an existing home on it near Russells Mills Road as a separate parcel. Mr. Gioisa proceeded to review the location of wetlands and uplands, noting that his clients are seeking preliminary feedback from the Board prior to a formal submission.

The Planning Director recommended the proposal eliminate one lot to allow access to the open space as well as, balance the lack of prime open space with lots proposed. Discussion ensued.

Mr. Gioisa will attempt to redesign the layout to attempt to maintain the 5 lot layout in a way that could possibly provide public access to the open space

The Board suggested that a 4 lot OSRD scheme be considered as well if public access will not be provided.

9:30 P.M. Appointment ended

**Administrative**

**(7) For Your Information/new Business**


**Proposed Realignment of Land Use/Development Services Functions**

The Planning Board received a revision of the Select Board's proposal entitled "Overview of Proposed Realignment of Land Use/Development Services Functions, Revision 1, August 20, 2014" as an FYI. It was noted that the Select Board's August 25<sup>th</sup> agenda included a joint meeting with the Board of Health regarding this topic, and the "Select Board Response to Planning Board letter dated August 7, 2014". The Board recognized that the Select Board's proposal could again be revised after its meeting with the Board of Health and letter discussion, and requested that the Planning Director obtain the proposal's final draft or any correspondence from the Select Board prior to the joint meeting of September 8<sup>th</sup>.

Concluding discussion, Chairman Avila noted the next Planning Board meeting is scheduled for September 8, 2014 in Room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn.

A motion was made by Lorri-Ann Miller, duly seconded by Kevin Melo, and voted (4 yes; 1 absent) to adjourn this evening's regular meeting at 9:58 p.m.

**APPROVED BY:**  
**The Dartmouth Planning Board**

  
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Respectfully submitted,  
Jane Kirby  
Planning Aide