



**PUBLIC HEARING MINUTES FOR
DEFINITIVE OSRD SUBDIVISION – SAGAMORE ESTATES
December 15, 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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The Chairman opened at 8:30 p.m. the continued public hearing¹ of November 3, 2014, concerning a Definitive (OSRD) Subdivision Plan entitled "Sagamore Estates". The applicant proposes to create a four (4) lot subdivision with a 5.3 acre open space parcel from an 8.1 acre tract of land located at Sagamore Drive in Apponagansett Village. Access to the lots will be from Sagamore Drive. The plan was prepared by SITEC, Inc. for J & T Home Builders for land owned by Jose T. Desousa and shown on Assessor's Map 131 as Lot 61. The applicant is also requesting a Special Permit for an Open Space Residential Design, as provided for in Section 6 of the Zoning Bylaws, to allow waivers regarding Section 4B.401 – Lot Area; Section 4B.402 – Lot Shape; Section 4B.403 – Frontage; and Section 4B.404 – Setbacks.

All Planning Board members and Planning staff were present.

Also Present: Steve Gioiosa, P.E. - SITEC, Inc.
Jose T. Desousa
Numerous abutters

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

The Planning Director noted that a revised plan was submitted, with a revision date of November 24, 2014.

Chairman Avila invited the applicant or a representative to speak.

Steve Gioiosa, P.E., SITEC, Inc. explained:

- The public hearing was continued to allow time for plan revision and Conservation Commission review and approval

¹ For more information, see minutes of the Planning Board's regular meeting of December 15, 2014



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- The Conservation Commission used a drainage consultant as part of the review process
- The wetland delineations have been confirmed
- The drainage plan was modified to satisfy the Conservation Commission and the drainage consultant
 - Stormwater detention basin designed
- The revised plan is designed in accordance with DEP standards, even though it is not required
- The driveway is pitched to minimize flow to abutting properties
- The on-site replication area was relocated per Conservation Commission
- ConComm issued an Order of Conditions and approved the plan
- DPW comments were incorporated into the revised plan
- Evergreen plantings were added near the adjacent property
- Created access to the open space land

The Planning Director explained that the revised plan may have addressed the DPW comments, but there wasn't enough time to obtain DPW confirmation. The Planning Director recommended that the DPW conditions remain as part of the Certificate of Action, if the Planning Board approved the revised plan.

The Planning Director made the following plan revision suggestions:

- The pedestrian access at the end of the driveway is 10 feet wide, not 20 feet wide. The easement should be 20 feet wide
- A sign identifying pedestrian access should be added
- The gap in the stonewall between Lots 1 and 2 should have a note that it was to be rebuilt in the gap

Chairman Avila asked if anyone in the audience wished to speak at this time.

The following abutters voiced their concerns:

- Roseann Kvietkauskas, 13 Algonquin Drive
- Michael Heath, 1 Algonquin Drive
- Maureen Benjamin, 22 Sagamore Drive

The main concerns were buffering and wetland/drainage issues in this area.

Steve Gioiosa responded to the concerns, explaining that the lots do not encroach on wetlands and the revised plan received ConComm approval. He proceeded to review the



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Stormwater Management System, noting that the plans received extensive review from the drainage consultant. He stated that development projects of less than five lots are exempt from DEP requirements, but that the developer chose to meet the DEP standards regardless.

The Planning Director reviewed OSRD vs. conventional lot layout, pointing out the areas of preservation and noting that the idea for the OSRD subdivision is to permanently protect the open space, whereas a conventional lot layout could be done by right without any open space protection requirements. He also noted that public access to the open space will be allowed.

Chairman Avila further explained that if the applicant meets the standards for subdivision approval, the Planning Board would be obligated to approve.

Chairman Avila asked for Planning Board comments and questions at this time.

After the questions and comments of the Planning Board were addressed by the engineer, conditions of approval were reviewed and discussed in detail.

Chairman Avila asked if anyone else had any comments.

A motion was made by Lorri-Ann Miller, duly seconded by Joseph Toomey, and voted (5-0) to close the public hearing at 9:35 p.m. and resume the regular meeting of the Planning Board for action on this request.

Respectfully submitted,
Jane Kirby
Planning Aide

J. Kirby
12/22/2014