



**MINUTES OF PLANNING BOARD PUBLIC HEARING**  
**January 12, 2015**  
**Amended Definitive Subdivision Plan**  
**entitled "Antonio Way Extension"**  
**Meeting Room #315**  
**Town Office Building, 400 Slocum Road, Dartmouth, MA**

**Planning Board Members**

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

**Planning Staff**

Mr. John P. Hansen, Jr., Planning Director  
Ms. Jane Kirby, Planning Aide

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2015 FEB 11 PM 2 24  
DARTMOUTH TOWN CLERK

The Chairman opened the public hearing<sup>1</sup> at 7:30 p.m. concerning an amendment to a Definitive Subdivision Plan entitled "Amended Definitive Subdivision Plan for Antonio Way Extension" dated September 15, 2014, for property located at the end of Antonio Way. The plan consisting of three (3) sheets was prepared for Jose Melo and Anna Soares by SITEC, Inc. The amended plan was submitted to the Planning Board office on November 21, 2014. The amendment proposes to shift the location of the improved 16 foot gravel driveway from that shown on the approved subdivision plan to the location it exists now.

All Planning Board members and Planning staff were present.

Also Present: Steven Gioiosa, P.E., SITEC, Inc.  
Anna Soares

Chairman Avila reviewed public hearing procedure for the general public.

Lorri-Ann Miller motioned to waive the reading of the legal notice into the record, which was duly seconded by Joseph Toomey, and unanimously voted (5-0).

The Planning Director read the following correspondence into the record:

- DPW letter dated December 5, 2014
- Email from Tim Barber, Town Engineer, to Jane Kirby dated January 5, 2015

At this time, Steven Gioiosa, P.E., SITEC, Inc. addressed the Board. He submitted colored photos and a Street and Utilities Plan dated 11/01/05 revised to September 15, 2014.

<sup>1</sup> For more information, see minutes of the Planning Board's regular meeting of January 12, 2015



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Mr. Gioiosa proceeded to review the history of the subdivision:

- 2005 subdivision
- Gravel road extension created to provide access to one additional lot at the end of Antonio Way
- Gravel road constructed/house constructed
- Money held by Town (\$12,000 surety)
- Applicant requested as-built plan in an effort to request surety release

Mr. Gioiosa explained that the as-built plan differed from Board approved subdivision plan:

- Gravel road not exactly centered in the R-O-W
- Three street trees needed to be added
- Retaining wall was constructed by the property owner within the R-O-W
- Driveway change not completed

Mr. Gioiosa met with the Town Engineer and the Planning Director, and they came to the conclusion that due to the low intensity to the traffic flow on Antonio Way, the function of the driveway and the gravel way were not in conflict. There would be no real benefit to reconstruct the driveway. The retaining wall doesn't obstruct the function of the driveway or the gravel way, and allowing it to remain was not a major obstacle. Three street trees were added. He noted that part of the review was that Tibbett's Engineering tested the gravel way and showed that the gravel way as constructed meets Town standards.

Mr. Gioiosa explained the email from Tim Barber noting his concerns regarding a patch to the pavement, which Mr. Barber wanted removed and re-asphalted. Another concern was the "apron". Mr. Barber indicated a 20 foot paved apron would be needed. Mr. Gioiosa suggested that the 20 foot apron wasn't necessary since it's a gravel way only serving a single home, and it is a private way that will remain private.

Discussion ensued. The applicant is asking the Board to approve the amended plan, which is an actual depiction of the site as constructed. He noted that there haven't been any documented issues with the stability of the gravel way.

Chairman Avila asked for public comment. None was received.

Chairman Avila asked for Board comment. The Board questioned why the Town was still holding \$12,000 for this project. Anna Soares stated that there were still some outstanding issues that she felt have finally been addressed, including the as-built plans that were completed this year. The 20 foot paved apron was discussed, and the Board noted that if the amended plan is approved, then the Board would be approving the smaller apron as shown on the amended plan. The issue of completing the gravel road according to the DPW email will be addressed before surety release is requested.



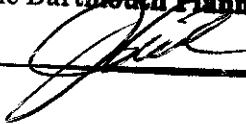
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Chairman Avila asked for a motion to close the public hearing.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller, and unanimously voted (5-0) to close the public hearing at 7:55 p.m. and resume the regular meeting of the Planning Board.

Respectfully submitted,  
Jane Kirby  
Planning Aide

**APPROVED BY:**  
The Dartmouth Planning Board

  
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**MINUTES OF REGULAR PLANNING BOARD MEETING**  
**January 12, 2015**  
**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

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**Planning Staff**

Mr. John Hansen, Jr., Planning Director  
Ms. Jane Kirby, Planning Aide

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

**Administrative Items**

**(1) Approval of Minutes**

Regular Meeting of December 22, 2014

A motion was made by Joseph Toomey, duly seconded by Lorri-Ann Miller for discussion, and unanimously voted (5-0) to approve the above-referenced minutes.

**(2) Invoices**

Jane Kirby, Planning Aide – Reimbursement	\$236.61
WB Mason – Office Supplies	\$24.68

A motion was made by Lorri-Ann Miller, duly seconded by Joseph Toomey for discussion, and unanimously voted (5-0) to approve the above-referenced invoices for payment.

**(3) Correspondence**

Legal Notices from Dartmouth Conservation Commission  
Legal Notices from City of Fall River  
Legal Notices from Town of Westport

A motion was made by Joseph Toomey, and duly seconded by Lorri-Ann Miller, and unanimously voted (5-0) to acknowledge and file the above-referenced correspondence.

At this time, Chairman Avila acknowledged and welcomed John Hansen, Jr., the new Planning Director, noting that this is his first meeting with the Dartmouth Planning Board.



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- (4) Endorsement of Approval Not Required (ANR) Plan**  
John Vertente Boulevard Extension      BWC Origination 1, LLC      12/12/14

The Planning Director explained that this ANR plan creates two lots off of John Vertente Blvd Ext, which is part of the commitments under the Conservation Commission permit for the solar farm currently under construction off the end of Castaldi Drive. A piece of property off of a portion of the land, which will ultimately be donated to the Conservation Commission, will be cut off to make one contiguous piece of land attached to the Conservation Restriction area out to John Vertente Blvd Ext. Parcel A has sufficient frontage and Parcel B does not have frontage and is labeled unbuildable. The Planning Director recommended endorsement.

A motion was made by John Sousa, duly seconded by Joseph Toomey for discussion, and unanimously voted (5-0) to endorse the above-referenced ANR plan.

**Appointment**

- (5) 7:05 P.M. Richard Rheame, P.E. – Prime Engineering**  
RE: Initial Review of Off-Street Parking Plan  
St. Anne's Credit Union, 585 State Road (New Construction)

Also Present:      Attorney Walter Smith  
                         Robert Camara, Vice President – St. Anne's Credit Union  
                         Ross Upton, CEO – St. Anne's Credit Union

Chairman Avila invited the engineer to review the proposed parking plan for the Board.

Richard Rheame stated that the proposal includes the construction of a new bank/mortgage company to be located on State Road, west of Cross Road (the former Tech Built property). He proceeded to review the general plan with the Board, noting the 9.4 acre parcel's zoning lines and proposed development. He noted that the subject property is zoned General Business towards State Road, and zoned Single Residence A on the south portion of the parcel. He also highlighted the Zone 2 Aquifer Protection area on the plan.

Mr. Rheame reviewed the proposed site layout for the Board:

- Ingress/eagress
- Traffic flow
- Handicapped access
- Sidewalk locations



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- Parking layout for bank and mortgage office customers
- Employee parking location
- ATM and drive-thru lane

Mr. Rheume reviewed the Stormwater Management Plan:

- Stormwater Treatment System
- Discharged to swales
- Rain garden & drainage towards wetlands

Mr. Rheume reviewed the Landscape Plan:

- Requisite number of trees and shrubs provided
- Sidewalk along Rte. 6 will be rebuilt
- Landscaped strip located on subject property
- Employee crosswalks

The Board felt the site layout and architectural design of the bank was an excellent design. One member suggested the sidewalk along Rte. 6 should extend from property line to property line, and should be concrete rather than asphalt. Discussion ensued, and if approved, this will be added as a condition of approval.

The Planning Director reviewed the details for the proposal. The 9,739 square foot bank/mortgage company will be served by 70 parking spaces (48 required), and will have a drive-thru with four lanes (one ATM dedicated). Although there are 22 excess parking spaces, 11 more trees than what is required are proposed. An application to the ZBA has been filed to amend a previously granted variance for access to the easterly abutting property. The Planning Director recommended that the parking plan be approved in accordance with the draft Certificate of Action, amended to include the sidewalk condition.

In a separate matter, Mr. Rheume mentioned that the applicant may wish to come back before the Planning Board to discuss the ZBA amendment request, and also to discuss possibly rezoning the subject parcel through Town Meeting.

Concluding, Chairman Avila asked for a motion regarding this off-street parking plan.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller, and unanimously voted (5-0) to approve the parking plan in accordance with the amended Certificate of Action and a condition requiring the sidewalk be extended from property line to property line along Rte 6 and be constructed of concrete.



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The Plans referred to in this action are listed below:

<u>Title</u>	<u>Sheet</u>	<u>Date</u>
Title Sheet	-	November 24, 2014 Revised 1/7/15
Existing Conditions Plan	C1.0	November 24, 2014
Demolition & Erosion Control Plan	C2.0	November 24, 2014
Site Layout Plan	C3.0	November 24, 2014 Revised 1/7/15
Grading & Utilities Plan	C4.0	November 24, 2014
Landscape Plan	C5.0	November 24, 2014 Revised 1/7/15
Details 1	C6.0	November 24, 2014
Details 2	C7.0	November 24, 2014
Floor Plan		1/7/2015
Architectural Elevations	A3 & A4	November 25, 2014

Conditions of approval are listed below:

1. A concrete sidewalk shall be added along the entire frontage.
2. Move sewer cleanout near building to flush in the direction of the street, not the building.
3. Sewer cleanouts are required every 100 feet.
4. Place Inline Cleanout at property line.
5. Label all water gate valves and curb stops.
6. Show gate valve at 8" x 6" x 6" tap.
7. Show elevations at sewer and drain crossings.
8. Revise sewer trench detail show pipe enveloped in ¾" crushed stone instead of gravel.
9. Drain trench also details gravel around drain pipe. Gravel is allowed around RCP, but crushed stone is required around HDPE drain.
10. Revise note 3 on page C4.0 to include "drain materials and workmanship".



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Three sets of revised plans shall be submitted to the Planning Office.

The Director of Inspectional Services shall not issue a building permit until a letter is received from Planning Staff and an approved plan is forwarded with the letter.

Approval of this plan does not imply compliance with other Town ordinances, standards, and/or requirements administered by other Town agencies.

For the  
Dartmouth Planning Board,

John P. Hansen, AICP  
Planning Director

At this time, Chairman Avila requested that agenda Item #11 be discussed until time for the public hearing.

- (11) Discussion: EBI Consulting letter dated December 22, 2014**  
**Invitation to Comment**  
RE: Proposed Telecommunications Facility Installation at  
950 Division Road

The Planning Director stated that the letter from EBI Consulting dated December 22, 2014 was reviewed by the former Planning Director, Donald Perry. Mr. Perry asked that this item be placed on the agenda for discussion, since he felt that the proposed telecommunication facility installation would have visual impacts to Allens Neck Friend's Meeting Home and the surrounding historic landscape. If the Planning Board agrees with Mr. Perry's comments, a letter should be sent to EBI Consulting related to the proposed project's potential effects on historic properties.

A motion was made by John Sousa, duly seconded by Joseph Toomey for discussion, and unanimously voted (5-0) to authorize staff to forward a letter to EBI Consulting.

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

Planner's Report

- Police Station Parking Lot

The Planning Director had asked for a status update at the Reviewer's Meeting he attended. He was told that public safety facilities are exempt from zoning regulations.





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The Board clarified that it has the ability to waive standards, but that public safety facilities are not exempt from Section 16 of the zoning regulations. The Board was under the impression that the parking layout wouldn't change, since the modular unit would go in the back of the site. The Board recommended that the Planning Director check with Paul Murphy to determine if a parking plan would be submitted. The Board's assumption was that a parking plan would still need to be submitted.

**Public Hearing**

**(6) 7:30 P.M. Amendment to Definitive Subdivision Plan  
Entitled "Antonio Way Extension"**

Present: Steven Gioiosa, P.E., SITEC, Inc.  
Anna Soares

Chairman Avila asked for a motion to recess the Board's regular meeting in order to open the public hearing for an amendment to the Definitive (OSRD) Subdivision Plan entitled "Antonio Way Extension". The amendment proposes to shift the location of the improved 16 foot gravel driveway from that shown on the approved subdivision plan to the location it exists now.

A motion was made by Lorri-Ann Miller, duly seconded by Joseph Toomey, and voted (5-0) to recess the Planning Board's regular meeting at p.m. in order to go into a public hearing<sup>1</sup> for the subdivision plan entitled "Antonio Way Extension",

The regular meeting resumed at 7:55 p.m.

**Administrative Item**

**(7) Action on Amendment to Definitive Subdivision Plan entitled  
"Antonio Way Extension"**

The Planning Director recommended approval of the amendment request in accordance with the draft Certificate of Action.

A motion was made by Lorri-Ann Miller, duly seconded by Kevin Melo for discussion, and voted (5-0) to approve the amendment to the definitive subdivision plan entitled, "Antonio Way Extension".

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<sup>1</sup> For more information, see minutes of Planning Board's Public Hearing dated January 12, 2015 and entitled Amendment to Definitive Subdivision Plan entitled "Antonio Way Extension"



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The approved Definitive Subdivision Plan consists of the following:

**“Amended Definitive Subdivision Plan for Antonio Way Extension”** dated  
September 15, 2014

<u>Title</u>	<u>Sheet</u>	<u>Date</u>
Layout Plan	1 of 1	September 15, 2014
Street and Utilities Plan	2 of 3	11/01/05 revised to <u>September 15, 2014</u>
Detail Sheet for Antonio Way Ext.	3 of 3	9/28/04 revised to <u>September 15, 2014</u>

The conditions of approval are listed below:

1. The titles of all plans shall start with the word “Amended”.
2. The note: Being an amendment to an approved Definitive Subdivision Plan entitled “Amended Definitive Subdivision Plan Antonio Way” dated November 1, 2005 and recorded in the Bristol County (S.D.) Registry of Deeds, Book 163, Page 96.

All site improvements shall be in accordance with plans approved by the Planning Board.

Except as provided below, the amended Definitive Plan shall conform in all respects with the applicable Subdivision Regulations of the Planning Board and current D.P.W. Construction Specifications.

In accordance with M.G.L., Chapter 41, Section 81-R, and as part of the Board's approval of said amended plan, the following waivers from its Subdivision Regulations were granted:

- 3.308 Street Signs – The two houses with frontage on Antonio Way Extension have addresses on Antonio Way, therefore the extension does not need identification as a street.
- 3.303(i) Pavement & R-O-W Width – to allow the improved roadway surface to be located as shown on the plan and not centered in the R-O-W.



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- 3.303(j) Improved Roadway Surface – to allow the paved apron as it exists on site.

Approval of this plan does not imply compliance with other Town ordinances, standards, and/or requirements administered by other Town agencies.

For the  
Dartmouth Planning Board,

John P. Hansen, AICP  
Planning Director

**Public Hearing**

- (8) 8:00 P.M. Amendment to Definitive (OSRD) Subdivision Plan entitled "The Enclave" located off Faunce Corner Road**

Present: Richard Rheume, P.E., Prime Engineering  
Lee Castignetti, Esq., Representing applicant

Chairman Avila asked for a motion to recess the Board's regular meeting in order to open the public hearing for an amendment to the Definitive (OSRD) Subdivision Plan entitled "The Enclave at the Reservoir", which proposes to create separate open space parcels so that some of the open space can be conveyed to the Dartmouth Conservation Commission and some parcels can be conveyed to a Home Owner's Trust. The total amount of open space will not be less than previously approved. The applicant is also amending the Special Permit for an Open Space Residential Design previously granted by the Planning Board for an OSRD subdivision.

A motion was made by Lorri-Ann Miller, duly seconded by Joseph Toomey, and voted (5-0) to recess the Planning Board's regular meeting at 8:00 p.m. in order to go into a public hearing<sup>2</sup> for the subdivision plan entitled "The Enclave at the Reservoir".

The regular meeting resumed at 8:25 p.m.

**Administrative Item**

- (9) Action on Amendment to Definitive (OSRD) Subdivision Plan entitled "The Enclave" located off Faunce Corner Road**

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<sup>2</sup> For more information, see minutes of Planning Board's Public Hearing dated January 12, 2015 and entitled Amendment to Definitive Subdivision Plan entitled "The Enclave at the Reservoir"



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The Planning Director reminded the Board that two votes would be required for this action; one to approve the amended subdivision plan, and one to approve the amended Special Permit. He noted that the revision dates on the draft Certificate of Action for a Definitive Subdivision Plan and the draft Certificate of Action for the Special Permit would need to be amended on the title sheet (back to original date of October 10, 2014) to reflect the Natural Heritage approval documentation. He noted that the revision date of 1/7/15 was to reflect the change to Sheet 13, which addressed the trail head sign requirement of the original approval process that was overlooked, as stated in the public hearing.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller for discussion, and unanimously voted (5-0) to approve the amendment to the definitive subdivision plan entitled, "The Enclave at the Reservoir" in accordance with the amended draft Certificate of Action.

Amended plan modifications described as:

Change of configuration and designation of the open space parcels, but with no change in the total, aggregate amount of land area of all of the open space parcels combined.

Change of configuration of Lots 6, 7, 8, 12 and 13 resulting in 6,707 square feet of land being taken from the land area of Lots 6, 7 and 8 and added to the open space land area, and 6,707 square feet of land being taken from the open space land area and added to the land area of Lots 12 and 13.

Total elimination of the phasing of construction of the subdivision roadways and related infrastructure.

Creation of a utility and access easement area over the common boundary between Lots 19 and 20 to service Detention Basin 4.

Change of the installation locations of monumentation and signage as shown on Sheet 1 of the amended definitive subdivision plan so that the installation locations comply with the requirements of the Conservation and Management Permit issued by the Massachusetts Division of Fisheries & Wildlife, dated October 8, 2014 and recorded with the Bristol County (Southern District) Registry of Deeds in Book 11196 at Page 26.

Change of the finished face on the free-standing and retaining dry masonry block wall systems to be used along Ivy Way from the intersection of Ivy Way and Faunce Corner Road to Station 8+00 from cobblestone to ledgerstone, and



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change of the design element of the free-standing portion of the block wall system that enables it to function as a vehicular guard wall assembly system from two courses of blocks connected to one another by a series of ¾" steel "J" bolts to a poured-in-place concrete beam with embedded rebar in the top row.

The approved Amended Definitive Subdivision Plan consists of the following:

**"The Enclave at the Reservoir"**

<u>Title</u>	<u>Sheet</u>	<u>Date</u>
Title Sheet	-	September 15, 2008 Revisions to: Oct. 10, 2014
Overall Subdivision Layout	1	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	2	September 15, 2008 Revisions to: Oct. 10, 2014
Overall Perimeter	3	September 15, 2008 Revisions to: Oct. 10, 2014
Open Space Summary	4	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	5	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	6	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	7	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	8	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	9	September 15, 2008 Revisions to: Oct. 10, 2014
Easements w/Open Space	9-A	September 15, 2008 Revisions to: Oct. 10, 2014
Overall Street & Utilities Plan	10	September 15, 2008 Revisions to: 10/10/14
Street & Utilities Plan Index	10A	September 15, 2008 Revisions to: 10/10/14
Street & Utilities Plan Area 1	11	September 15, 2008 Revisions to: 10/10/14
Street & Utilities Plan Area 2	12	September 15, 2008 Revisions to: 10/10/14
Street & Utilities Plan Area 3	13	September 15, 2008



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Street & Utilities Plan Area 4	14	Revisions to: 1/7/14 September 15, 2008 Revised: 10/10/14
Details Plan 1	15	September 15, 2008 Revisions to: 10/10/14
Details Plan 2	16	September 15, 2008 Revisions to: 10/10/14
Details Plan 3	17	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	18	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	19	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	20	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	21	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	22	September 15, 2008 Revisions to: 10/10/14
Erosion & Sediment Control	23	September 15, 2008 Revisions to: 10/10/14
Wetland Replication Plan	24	September 15, 2008 Revisions to: 10/10/14
Street Trees & Landscaping Plan	25	September 15, 2008 Revisions to: 10/10/14
Street Trees & Landscaping Plan	26	September 15, 2008 Revisions to: 10/10/14
Planting Notes & Details	27	September 15, 2008 Revisions to: 10/10/14
Limit of Work Plan	28	September 15, 2008 Revisions to: 10/10/14

The conditions of approval are listed below:

1. This Definitive Plan is subject to an Open Space Residential Design AMENDED Special Permit dated January 13, 2015.



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2. The conditions of the originally approved Certificate of Action for a Definitive Subdivision Plan entitled "The Enclave at the Reservoir" dated November 18, 2008 are adhered to.
3. The conditions of the originally approved Certificate of Action for a Special Permit for "The Enclave at the Reservoir" dated November 18, 2008 are adhered to.
4. The titles of all plans shall start with the word "Amended".

Approval of this plan does not imply compliance with other Town ordinances, standards, and/or requirements administered by other Town agencies.

For the  
Dartmouth Planning Board

John P. Hansen, Jr., AICP  
Planning Director

A motion was made by John Sousa, duly seconded by Kevin Melo for discussion, and voted to approve the amendment to the Special Permit in accordance with the amended draft Certificate of Action. Roll Call: Kevin Melo-yes; John Sousa-yes; Lorri-Ann Miller-yes; Joseph Toomey-yes; Joel Avila-yes.

**The Planning Board grants the amendment to the Special Permit for "The Enclave at the Reservoir" with the following conditions and restrictions:**

1. The Planning Board grants the amendment to the Special Permit for an Open Space Residential Development in substantial conformance with the following plans:

<u>Title</u>	<u>Sheet</u>	<u>Date</u>
Title Sheet	-	September 15, 2008 Revisions to: Oct. 10, 2014
Overall Subdivision Layout	1	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	2	September 15, 2008 Revisions to: Oct. 10, 2014
Overall Perimeter	3	September 15, 2008 Revisions to: Oct. 10, 2014



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Open Space Summary	4	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	5	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	6	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	7	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	8	September 15, 2008 Revisions to: Oct. 10, 2014
Subdivision Plan	9	September 15, 2008 Revisions to: Oct. 10, 2014
Easements w/Open Space	9-A	September 15, 2008 Revisions to: Oct. 10, 2014
Overall Street & Utilities Plan	10	September 15, 2008 Revisions to: 10/10/14
Street & Utilities Plan Index	10A	September 15, 2008 Revisions to: 10/10/14
Street & Utilities Plan Area 1	11	September 15, 2008 Revisions to: 10/10/14
Street & Utilities Plan Area 2	12	September 15, 2008 Revisions to: 10/10/14
Street & Utilities Plan Area 3	13	September 15, 2008 Revisions to: 1/7/14
Street & Utilities Plan Area 4	14	September 15, 2008 Revised: 10/10/14
Details Plan 1	15	September 15, 2008 Revisions to: 10/10/14
Details Plan 2	16	September 15, 2008 Revisions to: 10/10/14
Details Plan 3	17	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	18	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	19	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	20	September 15, 2008 Revisions to: 10/10/14
Road Plan & Profile	21	September 15, 2008 Revisions to: 10/10/14





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Road Plan & Profile	22	September 15, 2008 Revisions to: 10/10/14
Erosion & Sediment Control	23	September 15, 2008 Revisions to: 10/10/14
Wetland Replication Plan	24	September 15, 2008 Revisions to: 10/10/14
Street Trees & Landscaping Plan	25	September 15, 2008 Revisions to: 10/10/14
Street Trees & Landscaping Plan	26	September 15, 2008 Revisions to: 10/10/14
Planting Notes & Details	27	September 15, 2008 Revisions to: 10/10/14
Limit of Work Plan	28	September 15, 2008 Revisions to: 10/10/14

2. The Planning Board grants the amended Special Permit in conformance with the amended Certificate of Action dated January 13, 2015.
3. The conditions of the originally approved Certificate of Action for a Definitive Subdivision Plan entitled "The Enclave at the Reservoir" dated November 18, 2008 are adhered to.
4. The conditions of the originally approved Certificate of Action for a Special Permit for "The Enclave at the Reservoir" dated November 18, 2008 are adhered to.
5. The titles of all plans shall start with the word "Amended".

All conditions of approval shall be met within two (2) years from the date of filing of the Planning Board decision in the Office of the Town Clerk. A reasonable extension of said time shall be granted by the Planning Board in the case of an appeal to the Superior Court under Massachusetts General Laws (M.G.L.), Chapter 40A, Section 17 or if good cause is shown to the Planning Board for an extension.

Appeals, if any, shall be made pursuant to M.G.L., Section 17, Chapter 40A, and shall be filed within twenty (20) days after date of filing of such notice in the Office of the Town Clerk.

The Special Permit does not become effective until the Town Clerk certifies that no appeal of the decision has been filed in Superior Court within the 20-day statutory appeal period; or that if an appeal has been filed, it has been dismissed or denied and a certified copy of the decision is recorded in the Bristol County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and



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noted on the owner's certificate of title.

The applicant or petitioner is responsible for filing the certified decision in the Registry of Deeds and for paying the recording fees.

A copy of the recorded decision certified by the Registry of Deeds is necessary before a Building Permit, dependent on the Planning Board's decision, can be issued by the Director of Inspectional Services. Copies of the approved plans and this decision are on file in the Town Clerk and Planning Board offices. Copies of the complete minutes of the public hearing are available upon request at the office of the Planning Board.

Approval of this Special Permit does not imply compliance with other Town ordinances, standards, and/or requirements administered by other Town agencies.

\_\_\_\_\_  
John P. Hansen, Jr., Planning Director  
Dartmouth Planning Board

Date: \_\_\_\_\_

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

**Planner's Report**

- Town Hall Space Reorganization Committee

The Planning Director attended his first committee meeting. He proceeded to review the latest floor plan submitted to the committee. The architect indicated that as long as all the files are located along the hallway walls, there would not be any structural issue with the proposed layout.

He explained that the general public would have limited access to the offices as defined in the gray area of the layout plan.

Discussion ensued in terms of the Planning Director's office being swapped with the Development/Grant office. The Planning Board did not feel that this made any sense and wanted the rationale for this configuration explained. Also, the Board felt the location of the Planning Office files should to be defined and confirmed that they will fit in the hallway, and whether filing cabinets would be lined up on one or both sides of the hallway.

The Board discussed the general public's counter space and its distance from the offices. The Planning Aide and ZBA clerk would have "visual access" to the public counter space. The Board questioned how this would improve efficiency.



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With this layout, public access to the third floor is proposed through the center of the building only, with the other two entrances closed to the public. The Planning Board's meeting room would be located in the basement.

The Board questioned how customer service would be improved with this plan.

The Board questioned if the Fire Chief was ok with the layout and changes to entrances/hallways etc.

The Planning Director stated that a cost estimate for the proposed layout was anticipated to be submitted at the next committee meeting.

Chairman Avila noted that it was time for the next scheduled appointment and concluded discussion.

**Appointment**

- (10) 8:30 P.M. Steven Gioiosa, P.E., SITEC, Inc.**  
RE: Initial Review of Off-Street Parking Plan  
New Retail/Restaurant Building, nw co. of State Rd. and Maine Ave.

Present: Al Amaral

Mr. Gioiosa reviewed the site layout as proposed.

- 40,000 s.f. parcel of land located on the north side of Rte. 6 to the west of Maine Avenue
- Unconstructed paper street (Illinois Avenue) on the west side of the subject property
- Seeking to develop a previously altered site
- Proposal includes:
  - Construction of 6,000 s.f. single-story mixed use building (restaurant and general retail anticipated)
  - Facility served by 2 parking areas  
Parking lots will comply with current zoning for spaces and access
  - Four parking stalls proposed in the back for employee parking
  - Parking facility and Rte. 6 layout line setback more than minimum of 10 foot requirement to create better perimeter buffers
  - No curb cut on Rte. 6
  - Access to the site off of Maine Avenue
  - Sidewalk construction proposed along Rte. 6, connecting to building
  - Wetland line approved (old foundation will be demolished in that area). Will need ConComm approval.
  - Stormwater Management System (Aquifer Protection District)



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- ZBA Special Permit required (will meet the criteria outlined in the Aquifer Protection Bylaw)
- Mass Highway alteration with proposed sidewalk (will apply through MA D.O.T.)

Board suggestions included an additional sidewalk from property line to property line along Maine Avenue.

Discussion ensued in terms of inadequate employee parking spaces with the Board expressing concern if a restaurant use is anticipated. Mr. Gioiosa agreed that the parking plan should be adjusted to address that concern. There are no tenants for the proposed building, making it difficult to determine how many spaces would be adequate.

The driveway access from Maine Avenue was discussed. The Board questioned if the design would be impacted if the Town wanted to construct Maine Avenue to the full 40 foot width. Mr. Gioiosa indicated that there would be limited need to modify Maine Avenue, but that the driveway could be adjusted to accommodate if needed.

The Planning Director stated that the DPW had recommended conditions, if approved, and would add the condition to include the sidewalk on Maine Avenue. He suggested additional buffering along the property line closest to the residential area.

Mr. Gioiosa requested the ability to work out the employee parking issue before the Board took any action on this parking plan because it could lead to a different parking plan layout.

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

A letter from Town Counsel was placed in the Board's packets as an FYI regarding developing a Cell Tower Bylaw. Attorney Savastano recommended that a new completely new Cell Tower Bylaw be developed, suggesting that the current Cell Tower Bylaw is inadequate. Discussion ensued. The Board concluded that a Cell Tower Bylaw was not on the priority list for 2015. The Board is currently working on a Site Plan Review Bylaw and will be reviewing an updated Sign Bylaw after the draft bylaw is completed through SRPEDD. The Board agreed that it would be important to work on a Cell Tower Bylaw at some point, but would prefer to stay on course with the priority list. The Planning Board felt that Town Counsel could draft the Cell Bylaw independently, since he is familiar with Federal Regulations.



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**(13) Long Range Planning – Site Plan Review Bylaw**

The Planning Director reviewed the Design Standards developed in 2004 page by page, and highlighted his questions and comments for Board discussion as a starting point for drafting a Site Plan Review Bylaw.

- Pedestrian circulation should comply with A.D.A. standards
- Director questioned the outdoor seating requirement for all uses
  - The Board's intention is to at least have benches available for outdoor seating for employees or customers
  - The Board did not mean tables and chairs will be required
  - The Board does want to require benches for all uses
- Director recommended adding Bicycle Circulation as part of Site Plan Review
  - The Board agreed for when a use is adjacent to a bike lane/path
- Director recommended including the Bicycle Rack Facilities and Standards recently passed at Town Meeting
  - The Board agreed
- Director questioned if the Board wanted to consider adding parking space maximum standards
  - The Board agreed that maximum parking spaces could be added to the parking space standards to reduce impervious areas
  - Could be limited to certain uses (retail of a certain size, for example)
- The Board discussed applicants requesting less spaces than required
  - By Special Permit
  - Maximum build-out plan (similar to Bliss Corner language) would need to be submitted to show that the site can accommodate all the spaces if needed in the future
- Director questioned whether the Board wanted to consider customer parking/doctor ratio for medical facilities (3 per doctor/1 per employee, for example)
  - The Board determined this should not be taken into consideration
- Director questioned "usable area" in the parking table and wanted to know if it should be clearly defined
  - The Board wanted usable area clearly defined
- Director questioned why a restaurant use would require 10 more employee parking spaces than the parking standards for other uses
  - The Board could not remember why this standard was considered in 2004
- Director questioned if the Board would want to take into consideration reducing employee parking for large retail/industrial type uses
  - Consider mass transit, carpooling, absences, etc.
  - The Board determined this should not be taken into consideration



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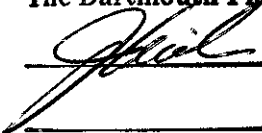
- Director questioned whether the Board wanted to consider restricting parking in the front of buildings certain districts to make more pedestrian friendly
- Director suggested that access management (curb cuts) could be taken into consideration with this bylaw
- Minimum parking stall widths were discussed
  - The Board wanted wider than current standard
- Director suggested a shade requirement could be added to landscaping requirements
- Drainage should meet MA DEP standards
- Director suggested drive thru facility standards could be added since "stacking" varies for different uses
- Director suggested lighting standards could be added (minimum and maximum standards)
- Director suggested waiting for SRPEDD's sign bylaw review to incorporate sign standards into this bylaw
- Director questioned how gravel or shell surfaced parking lots are marked to show parking spaces
  - The Board determined markings aren't currently required
- Director suggested adding construction standards (types of paint for marking parking facilities, etc., bollards, curb cuts)
- The Board suggested that architectural standards be developed for this bylaw

With no further business to discuss, Chairman Avila called for a motion to adjourn.

A motion was made by John Sousa, duly seconded by Kevin Melo, and unanimously voted (5-0) to adjourn this evening's regular meeting at 10:30 p.m.

The next Planning Board meeting is scheduled for January 26, 2015 in Room #315, Town Office Building, 400 Slocum Road.

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

  
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Respectfully submitted,  
Jane Kirby  
Planning Aide



**MINUTES OF PLANNING BOARD PUBLIC HEARING**  
**January 12, 2015**  
**Amendment to Definitive Subdivision Plan**  
**entitled "The Enclave at the Reservoir"**  
**Meeting Room #315**  
**Town Office Building, 400 Slocum Road, Dartmouth, MA**

**Planning Board Members**

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

**Planning Staff**

Mr. John P. Hansen, Jr., Planning Director  
Ms. Jane Kirby, Planning Aide

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DARTMOUTH TOWN CLERK

The Chairman opened the public hearing<sup>1</sup> at 8:00 p.m. concerning an amendment to a Definitive (OSRD) Subdivision Plan entitled "The Enclave at the Reservoir", which proposes to create separate open space parcels so that some of the open space can be conveyed to the Dartmouth Conservation Commission and some parcels can be conveyed to a Home Owner's Trust. The total amount of open space will not be less than previously approved. The subject property is located off Faunce Corner Road and identified on Town Assessor's Map 72 as Lot 45; Map 73 as Lots 9, 9-1, 10, and 11-1; and Map 77 as Lot 1-4. The plan was submitted in the Planning Board office on December 5, 2014. The applicant is also amending the Special Permit for an Open Space Residential Design previously granted by the Planning Board for an OSRD subdivision.

All Planning Board members and Planning staff were present.

Also Present: Richard Rheume, P.E., Prime Engineering  
Lee Castignetti, Esq., Representing the applicant

Chairman Avila reviewed public hearing procedure for the general public.

Lorri-Ann Miller motioned to waive the reading of the legal notice into the record, which was duly seconded by Kevin Melo, and unanimously voted (5-0).

Richard Rheume addressed the Board and stated that the original subdivision plan was approved in 2008, along with a Special Permit with conditions of approval listed. He explained that due to the economy, the subdivision plan never went anywhere.

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<sup>1</sup> For more information, see minutes of the Planning Board's regular meeting of January 12, 2015.



**MINUTES OF PLANNING BOARD PUBLIC HEARING**  
**January 12, 2015**  
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Mr. Rheume stated that the amended plan incorporates notes required as conditions of approval, and modifications required. He noted that the developer needed to work with Natural Heritage as well, because of the Box Turtle (endangered species), and reviewed the plan changes that resulted from that permitting process. He also pointed the open space parcels that will be conveyed to the Dartmouth Conservation Commission and the open space parcels that will be conveyed to a Home Owner's trust. He noted that the same amount of development area and open space area is proposed, but that the open spaces are segregated into different kinds of open space area.

The Planning Director had contacted Mr. Rheume prior to this meeting alerting him to the fact that signage was not shown on the plan. Mr. Rheume submitted a revised sheet showing the signs.

Chairman Avila invited public comment. No public comment was received at this time.

Chairman Avila asked the Board for questions and/or comments.

The Conservation Restriction was discussed, with Attorney Lee Castignetti explaining the Conservation Restriction in detail. Originally, the Natural Heritage wasn't in favor of the Town receiving the land, and instead would have preferred an entity such as DNRT etc. Because the land is surrounding by residences, the other groups weren't interested in the open space land. Ultimately, the Natural Heritage allowed the Conservation Commission to take title for the 80 +/- acres of open space. Because it is being conveyed to the Town, the Conservation Restriction was no longer required. The Declaration of Restrictions is still in place.

Chairman Avila asked if any of the house lots have been developed yet. The Planning Director pointed out that some clearing has begun on the subject property.

Attorney Castignetti explained that land was cleared in order to catch the season before the turtles went into hibernation, because a Twilight Scientist had to go in to confirm that the turtles will remain outside of the construction activity.

Chairman Avila recognized a member of the general public who wished to speak.

Michael Fontaine - 798 Faunce Corner Road

- Expressed drainage concerns and the impact to his property

Mr. Rheume reviewed the drainage flow, which will not impact Mr. Fontaine's property.





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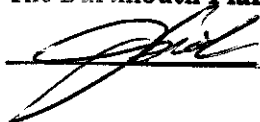
No more questions or comments were received.

Chairman Avila asked for a motion to close the public hearing.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller, and unanimously voted (5-0) to close the public hearing at 8:25 p.m. and resume the regular meeting of the Planning Board.

Respectfully submitted,  
Jane Kirby  
Planning Aide

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

  
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