



MINUTES OF REGULAR PLANNING BOARD MEETING
February 10, 2015 (Feb. 9 canceled due to poor weather conditions)
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. John Hansen, Jr., 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. Lorri-Ann Miller was absent with cause.

Chairman Avila announced that the public hearing for an amendment to the Definitive Subdivision Plan entitled "Hixville Estates" had to be re-advertised with notice sent to all parties of interest due to the storm cancelations. The public hearing has been rescheduled to March 9, 2015.

Administrative Items

- (1) **Approval of Minutes**
 - Regular Meeting of January 12, 2015
 - Public Hearing of January 12, 2015
 - Amendment to Definitive Subdivision Plan entitled "Antonio Way Extension"
 - Public Hearing of January 12, 2015
 - Amendment to Definitive Subdivision Plan entitled "The Enclave at the Reservoir"
 - Regular Meeting of January 21, 2015

A motion was made by Joseph Toomey, duly seconded by Kevin Melo for discussion, and voted (4 yes; 1 absent) to approve the above-referenced minutes.

- (2) **Correspondence**
 - Legal Notices from Dartmouth Board of Appeals
 - Legal Notices from City of Fall River

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



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(3) Invoices

Postage Machine - \$250.00
WB Mason – Office Supplies - \$256.28
WB Mason – Office Supplies - \$199.87
Minuteman Press – Business Cards - \$52.06

A motion was made by Joseph Toomey, duly seconded by John Sousa for discussion, and unanimously voted (4 yes; 1 absent) to pay the referenced invoices.

(4) Chapter 61A Land – First Option to Purchase

787 Faunce Corner Road – Robert Matte

The Planning Director described the subject property as 33.91 acres of land located at 787 Faunce Corner Road, Lot 7 & 14 on Assessor's Map 73. He felt that the property does not meet enough criteria to consider it valuable land for use by the Town.

A motion was made by John Sousa, duly seconded by Joseph Toomey, and voted (4 yes; 1 absent) to recommend that the Select Board not exercise the Town's option to purchase.

78 Chase Road – Thomas & Diane Moses

The Planning Director described the subject property as 6.94 acres of land located at 78 Chase Road, Lot 17 on Assessor's Map 50. He felt that the property does not meet enough criteria to consider it valuable land for use by the Town.

A motion was made by John Sousa, duly seconded by Joseph Toomey, and voted (4 yes; 1 absent) to recommend that the Select Board not exercise the Town's option to purchase.

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

Rockland St. & Russell's Mills Road Nancy Viera January 16, 2015

The Planning Director explained that this ANR plan swaps two parcels, each 344 square feet, in the rear yards of Lots 73 & 75 on Map 132. Parcel A will be conveyed from Lot 75 and merged with Lot 73. Parcel B will be conveyed from Lot 73 and combined with Lot 75. Frontage for either lot will not be affected. The Planning Director 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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Paquette Drive Michael & Marianne Boucher January 23, 2015

The Planning Director explained that this ANR plan swaps two parcels, each 8,415 square feet, in the rear yards of Lot 162-2 (Map 149) and Lot 10 (Map 142). Parcel A will be conveyed from Lot 10 and merged with Lot 162-2. Parcel B will be combined with Lot 10. Frontage for either lot will not be affected. The Planning Director recommended endorsement.

A motion was made by Joseph Toomey, duly seconded by Kevin Melo, and voted (3 yes; 1 absent; 1 abstain) to endorse the above-referenced ANR plan. John Sousa abstained from voting.

Appointment

- (6) **Christian Farland, P.E., Thompson Farland Engineering**
Initial Review of an Off-Street Parking Plan for 78 Brandt Avenue
(State Road – New Construction)

Christian Farland was unable to attend this meeting.

Present

Nick Dufresne, Project Manager
Attorney Nick Hemond

Mr. Dufresne gave a general history of the subject property and reviewed the proposed parking layout and drainage plan with the Board.

Mr. Dufresne explained that he had met with department heads for feedback prior to this meeting, but wanted to meet and get Planning Board feedback before submitting revised plans.

The Planning Director explained that the plan proposes the construction of a new retail building divided into 4 units, and the construction of a coffee shop, on State Road between Greystone and Brandt Avenues. The 16,960 sf retail building and 1,819 sf coffee shop with a drive thru will be served by 91 parking spaces, where 88 is required.

Upon review of the submitted parking plan, the Planning Director made the following comments:

1. Drive-thru queue could back up into main access drive; only room for 5 cars
2. Parking calculation – need a breakdown of actual occupants and employees



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3. Blue Spruce at Greystone might be a site distance issue
4. Lack of buffer from residential properties to the rear
5. Landscaping calculation of 10% required
6. Need gross paved area to figure if enough trees at 1 tree per 2000 sf of gross paved area is provided
7. Islands near Brandt Avenue are not 12 feet wide

Additional comments were received from the District Fire Chief and the Safety Officer.

Lengthy discussion ensued, with members asking numerous questions and expressing concern with the intensity of uses proposed and the drive-thru as currently designed.

Comments and suggestions from this meeting:

- Inadequate parking layout
- Unsafe to cross traffic to get to restaurant
- Redesign to move coffee shop and drive-thru layout
- Provide a bypass lane for the drive-thru
- Eliminate drive-thru altogether
- Move the coffee shop into the retail building and eliminate second structure
- Provide sidewalks along the full frontage of Greystone and Brandt Avenues

Attorney Hemond stressed that the drive-thru is very important to his client, and noted that the structure is permitted as a fast-food restaurant and not just a coffee shop.

Concluding discussion, Chairman Avila stated that the Board looks forward to seeing a revised design layout.

Public Hearing

- (7) 7:30 p.m. **Amendment to Definitive Subdivision Plan entitled "Hixville Estates"**

Chairman Avila announced that this public hearing has been re-scheduled to be heard on March 9, 2015

Administrative Item

- (8) **Action on Amendment to Definitive Subdivision Plan entitled "Hixville Estates"** (re-scheduled to March 9, 2015)



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Appointment

- (9) Steven Gioiosa, P.E., SITEC Inc.**
Preliminary Discussion of an Off-Street Parking Plan for 433 Faunce Co. Rd.
(New Construction)

Also present: Alex Carrig
 Richard Carrig
 Robert Carrig

Mr. Gioiosa stated the subject property is located north of 195, just north of the Vanity Fair building, and across from the Bristol County House of Correction. The property is located in the Office Industrial Zoning District, and the development group is proposing the construction of a gas station/convenience store at this location. (Special Permit through Planning Board).

Mr. Gioiosa proceeded to describe the surrounding uses, noting that the nearest gas station is a mile away and the nearest convenience store is located on Old Fall River Road.

Mr. Gioiosa described the proposal:

- 1 acre parcel
- Construction of a convenience store/gas station
- Access to the site by Faunce Corner Road
- Parking adjacent to building (no crossing access aisle to reach building)
- Sidewalks proposed to provide good pedestrian linkage to site and public ways
- Small commercial use
- Structure will have a "green roof" and recharge system provided on site

Mr. Gioiosa mentioned that he will be meeting with department heads at the next reviewer's meeting looking for input regarding this project.

Chairman Avila asked for Board comments and questions.

The Board requested that architectural plans be part of the submittal package when this project is ready to move forward.

A Board member suggested that the convenience store be located in the front and the gas station located behind the store. (Current layout shows gas pumps near Faunce Corner Road).



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Discussion ensued. Alex Carrig believed strongly that in order for the convenience store to be successful, the pumps needed to be in the front. He felt that located the pumps in the rear would be detrimental to the project.

A Board member was concerned with traffic flow back onto Faunce Corner Road from the site. The consensus of the Board was that access into the site should be by Faunce Corner Road (one way in), but exiting traffic should be directed to Ventura Drive.

A Board member questioned the "green roof".

Mr. Gioiosa described it as a vegetated roof (growing surface on the roof) to help reduce surface runoff, which could be grass or other vegetation. He further explained that the recharge system location will be determined when final plans are drawn up based on the topography of the site. He also noted that the site layout as proposed will not require any zoning relief.

The Board suggested the canopy design should be softened if the configuration of the site layout doesn't change. Robert Carrig stated that architectural renderings showing the pumps/canopy/convenience store will be provided when the plan is formally submitted.

The Planning Director stated that landscaping needed to be a priority with this project.

Mr. Gioiosa mentioned that greenspace is provided behind the convenience store, and picnic tables could be placed there because the convenience store will be serving fresh food.

The Board questioned if the convenience store would actually be two businesses. For example, a convenience store with a section leased out to Dunkin Donuts or Subway. Alex Carrig said that the food portion would be more like a fresh food deli.

Concluding, Mr. Gioiosa thanked the Board for its input.

Administrative Items

- (10) **Surety Reduction Request for amended Definitive Subdivision plan entitled, "Antonio Way Extension"**

Present: Anna Soares



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The Planning Director explained that the applicant has requested the final surety release of the \$12,000 currently being held by the Treasurer. Based on his email exchange with Tim Barber from the DPW, work still needed to be completed on this subdivision. The estimated cost for the remaining work is \$1,000.

A motion was made by John Sousa, duly seconded by Kevin Melo, and voted (4 yes; 1 absent) to release \$11,000 of the surety being held by the Town.

(11) Performance Guarantee/Endorsement from amended Definitive (OSRD) Subdivision plan entitled, "The Enclave at the Reservoir"

Present: Lee Castignetti, Esq.

The Planning Director advised that the Board take two votes; one for the approval of the Performance Covenant, and the other for the plan endorsement.

A motion was made by John Sousa to approve the Performance Covenant, which was duly seconded by Joseph Toomey, and voted (3 yes; 1 absent; 1 abstain). Kevin Melo abstained from voting.

A motion was made by John Sousa to endorse the amended plan entitled, "The Enclave at the Reservoir", which was duly seconded by Joseph Toomey, and voted (3 yes; 1 absent; 1 abstain). Kevin Melo abstained from voting.

(12) Approval of Planning Board's FY'16 Budget Request

The Planning Director stated that the budget is basically level-funded, except his salary is less than the previous Planning Director's salary of FY'15.

A motion was made by John Sousa to approve the FY'16 budget request, which was duly seconded by Joseph Toomey, and voted (4 yes; 1 absent).

(13) Approval of Planning Board's Annual Report

Chairman Avila suggested some minor changes that will be incorporated into the final report prior to submission.

A motion was made by Kevin Sousa to approve the annual report as amended, which was duly seconded by John Sousa, and voted (4 yes; 1 absent).

(14) Spring 2015 Town Meeting Zoning Articles

The Planning Director pointed out an inconsistency regarding bicycle parking standards in Section 16 – Bicycle Parking Standards which differs from bicycle



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parking language in the Bliss Corner Mixed Use District. The Planning Director recommended the language in the Bliss Corner Mixed Use District be deleted entirely. The Board agreed with this recommendation.

The Planning Director also submitted a draft Village Business District map showing a proposed extension of the Village Business District. Lots included in the proposed extension are currently taxed and used commercially. Discussion ensued. The Board suggested an additional lot that received ZBA relief last year for use as a business be included in the map revision. The consensus of the Board was that the amended Village District Zoning map would change the zoning to match the uses.

The Planning Director also submitted a draft Single Residence B rezoning map, which impacted 20 lots currently zoned General Business along Reed Road that are actually used residentially. The proposed map amendment would rezone the 20 lots to Single Residence B to match the uses. Discussion ensued. The Board supported sending an outreach letter to the lot owners for feedback.

(15) For Your Information/New Business

- Planner's Report

Town Hall Reorganization

The Town Administrator submitted a response to the Planning Board in an effort to answer the questions forwarded to the Select Board. The Planning Director noted that some questions weren't answered. Chairman Avila asked if the Board would like to take a position on the proposal at this meeting or if it wanted to wait until all members were present (Lorri-Ann Miller was absent). The consensus of the Board was to wait for all members to be present.

SRPEDD District Local Technical Assistance

The Planning Director stated that SRPEDD recommended the Town apply for this assistance along with the 40 hours Municipal Assistance request in order to have more time to develop a Sign Bylaw for the Town.

A motion was made by John Sousa to authorize the application for SRPEDD District Local Technical Assistance, which was duly seconded by Joseph Toomey, and voted (4 yes; 1 absent).

890 State Road – Potential New Business; No Parking Plan on file

The Planning Director explained that the new business, which does not have a Parking Plan on file, is not proposing any major structural



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changes or changes to the existing parking lot. He recommended the Board consider how to handle these situations as part of developing the Site Plan Review bylaw.

Long Range Planning – Priority List

This topic will be placed on a future agenda. Chairman Avila requested the Cell Tower Bylaw be added to the list for discussion.

APA Northeast Planning Conference

The Planning Board supported the Planning Director's attendance to this conference which will be held in upstate New York. The Planning Board encouraged the Planning Director to attend as many applicable conferences as possible, including the MMA Conference, in the future.

- Subcommittee Reports

Lincoln Park Plan Approval Authority

Kevin Melo, the Planning Board's representative to the Plan Approval Authority (P.A.A.), resigned from this position. Mr. Melo explained that he works for the funder of the project and it would be a conflict of interest for him to vote. Discussion ensued. This topic will be placed on the February 23, 2015, since a Board member was absent. A new appointment to the P.A.A. will be made at that time.

- Planning Director's Review for Board of Appeals

The Planning Director's letters will be forwarded to the Board of Appeals.

(16) Long Range Planning – Site Plan Review

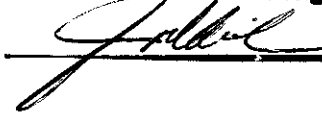
This agenda item was not discussed at this meeting due to the late hour.

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 voted (4 yes; 1 absent) to adjourn this evening's regular meeting at 10:00 p.m.

The next Planning Board meeting is scheduled for February 23, 2015, in Room #315, Town Office Building, 400 Slocum Road.

APPROVED BY:
The Dartmouth Planning Board



Respectfully submitted,
Jane Kirby
Planning Aide