



**MINUTES OF REGULAR PLANNING BOARD MEETING
June 8, 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

Planning Staff

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

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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 May 11, 2015
- Public Hearing Minutes dated May 11, 2015
 - Stonewall/Tree Removal – Potomska Road
 - Definitive (OSRD) Subdivision Plan entitled "Collins Corner Estates"

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

(2) Invoices

Reimbursement to John Hansen, Jr., Planning Director for 2015 APA Northeast Planning Conference	\$459.00
Postmaster Collector – Money for Postage Machine	\$250.00
WB Mason – Office Supplies	\$363.63
WB Mason – Office Supplies	\$811.76

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 invoices.

(3) Correspondence

- Legal Notices from Dartmouth Board of Appeals
- Legal Notices from Dartmouth Conservation Commission
- Legal Notices from City of Fall River
- Legal Notices from Town of Freetown



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

Public Hearing

(4) Amendment to Definitive Subdivision Plan entitled "Sheldon Woods"

Present: Roberto Viveiros, Applicant

Chairman Avila asked for a motion to recess the Board's regular meeting in order to open the public hearing¹ for an Amendment to the Subdivision Plan entitled "Sheldon Woods" located off Old Fall River Road. The plan was prepared by Kenneth R. Ferreira Engineering for Roberto C. Viveiros for land owned by the same. The plan proposes to amend the previously approved 2-lot subdivision on Assessor's Map 64/Lots 94 & 95 by changing the 16' wide paved road to an 18' wide gravel road (same length – 200') and the name of said road from Skildeim Farm Lane to Viveiros Way.

A motion was made by Joseph Toomey, duly seconded by Lorri-Ann Miller, and unanimously voted (5-0) to recess the public hearing at 7:08 p.m. in order to open the public hearing for "Collins Corner Estates".

The regular meeting resumed at 7:15 p.m.

Administrative

(5) Action on Amended Definitive Subdivision Plan entitled "Sheldon Woods"

The Planning Director recommended approving the amendment request in accordance with the draft Certificate of Action, amended to include DPW conditions.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller, and unanimously voted (5-0) to approve Staff's recommendation.

The approved Amended Definitive Subdivision Plan consists of the following:

<u>Title</u>	<u>Sheet</u>	<u>Date</u>
Amended Definitive Subdivision Plan	1 of 1	January 29, 2015

¹ For more information, see public hearing minutes for "Amendment to Definitive Subdivision Plan entitled Sheldon Woods"



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The conditions of approval are listed below:

1. The following notes shall be placed in the general notes
 - a. All construction shall comply with the Town of Dartmouth Department of Public Works Specifications latest revision.
 - b. Inspection fees will be required by DPW prior to any construction
 - c. A pre-construction meeting shall be held at DPW prior to any construction.
2. The bitumimous concrete apron shall extend 20'.
3. The paved apron shall consist of 12" processed gravel base, 2" course of HMA Binder and 1-1/2" course of HMA Surface Course.

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

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

(8) Subdivision Improvement Timeline Extension Request
RE: Village at Cedar Dell

Present: Gregory J. Koldys, Esq. (representing Cedar Dell LLC)
Peter Rochford, Project Manager

Attorney Koldys explained that his client will be asking for a waiver through the DPW Board regarding the drainage shown on the approved subdivision plan. The Planning Director reminded Attorney Koldys that changes to an approved subdivision plan would require an advertised public hearing with notice sent to parties in interest.

At the Planning Board meeting of May 11, 2015, the Planning Director had forwarded an email correspondence received from DPW staff that listed work that could be done sooner rather than later regarding drainage. The Board did not take action and continued this matter to allow time for discussion between the project manager and the DPW for clarification.

Lorri-Ann Miller motioned to grant a 1-month extension to allow time to obtain information from the DPW Board regarding the waiver process regarding the drainage.



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Discussion ensued. The Board determined that there is enough time for the Board to make a decision on the timeline extension request without granting an extension (the subdivision completion deadline is July 20, 2015, and the Board will meet again on June 22, 2015). This agenda item will be discussed again on June 22, 2015.

(9) Initial Review of an Off-Street Parking Plan

Hope Evangelical Church
88 Hathaway Road

The Planning Director explained that the proposed plan shows the addition of 12 parking spaces to the front of the Hope Evangelical Church at 88 Hathaway Road as shown on the 11 x 17 plan. The originally submitted plan showed 14 spaces, but the Safety Officer recommended the elimination of 2 spaces.

The Planning Director noted that there is no parking plan is on file for the subject property. Discussion ensued.

The Board determined that the Planning Director should reach out to the applicant to provide a more detailed parking plan showing pedestrian flow and landscaping. No action was taken at this meeting.

Public Hearing

(6) 7:45 P.M. Special Permit for a Bed & Breakfast – 63 Captains Lane

Present: Ronni Krasny, Applicant
Richard Burke, Esq., Representing Applicant
Numerous Abutters and Parties in Interest

The hearing concerns a request for a Special Permit as defined in Section 5.303 of the Dartmouth Zoning By-Laws for Lodging Houses (Bed & Breakfast). The application was submitted by Roni Krasner, 63 Captains Lane, Dartmouth, MA for property owned by her as shown on Assessor's Map 121, Lot 84. The proposed Bed and Breakfast will have two bedrooms and two baths. The application was submitted to the Planning Board Office on April 13, 2015.

Chairman Avila requested a motion to recess the Board's regular meeting in order to reconvene in meeting room #304 for public hearing², since there was not enough seating available in meeting room #315.

A motion was made by Joseph Toomey, duly seconded by Kevin Melo, and unanimously

² For more information see Public Hearing minutes for
"Special Permit regarding a Lodging House prepared for Ronni Krasny – 63 Captains Lane"



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voted (5-0) to recess at 7:50 p.m. and reconvene in meeting room #304 for the above-referenced public hearing.

The regular meeting resumed at 10:36 p.m. in Room #304.

(7) Action on Special Permit for a Bed & Breakfast – 63 Captains Lane

The Planning Director felt that the criteria for granting the Special Permit pursuant to Section 5.303 has been met with this application and recommended approval with conditions. He reminded the Board that 4 positive votes were required for approval.

Discussion ensued. One Board member recommended that 4 off-street parking spaces be provided as a condition if this application is approved. Another Board member recommended a condition regarding the headlights pointing towards the subject property and away from the neighbors.

A motion was made by Lorri-Ann Miller, and duly seconded by John Sousa for discussion, regarding regulating the way customers entered the driveway with their vehicles.

The Board determined that the condition could not be policed and was unreasonable. This condition failed.

A motion was made by Kevin Melo, and duly seconded by John Sousa for discussion, regarding requiring 4 off-street parking spaces for the Bed & Breakfast.

Attorney Burke suggested that the Board amend the condition to state that the maximum number of vehicles for guests using the Bed & Breakfast would be not to exceed 2 cars. He argued that existing shrubbery would need to be removed in order to create 4 off-street parking spaces.

Discussion ensued. Chairman Avila called for a vote.

The Board unanimously voted (5-0) to require 4 off-street parking spaces as a condition of approval if the Special Permit is granted.

The Special Permit application was discussed at length. The Board felt that the Bed & Breakfast was not out of character for the neighborhood and that it met the criteria for granting a Special Permit as outlined in the findings of the draft Certificate of Action.



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The Board also made the following points:

- Decision based on the criteria and purpose of a Bed & Breakfast
- There is an existing shipyard in the neighborhood
- The neighborhood is close to the Village Business District, which is a mixed-use district

Chairman Avila called for a roll-call vote.

Kevin Melo-yes; John Sousa-yes; Lorri-Ann Miller-yes; Joseph Toomey-yes; Chairman Avila-yes

Unanimous vote. Special Permit granted.

The Planning Board finds that the proposal is in harmony with the purpose and intent of the Zoning Bylaws, and that it will promote the purpose of Section 5.303 – Lodging Houses (Bed & Breakfast).

The Planning Board finds that the proposal is in harmony with the Section because:

- The Lodging House shall have the appearance of a single-family home.

The proposed property at 63 Captain's Lane has the appearance of a single family home. This requirement has been met.

- Adequate off-street parking shall be provided to accommodate lodgers. Every attempt shall be made to screen off-street parking from the street and abutters with emphasis on vegetational screening.

There is an existing driveway on the property that is adequate to accommodate 2 vehicles. No screening is present, however this is an existing driveway. This requirement has been met.

- The Board of Health confirms that the lodging house can be accommodated with respect to onsite water, onsite septic disposal and any other standards of the Board of Health.

The property has Town water and Town sewer. Any remaining standards required by the Board of Health shall be complied with. This requirement has been met.

- The property owner must occupy the single-family residence and manage the lodging house.



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The owner will occupy the residence and run the Bed and Breakfast in accordance with the requirements of the Special Permit. This requirement has been met.

- The proposed use shall not create a nuisance to the neighborhood.

Off-street parking is required for 4 cars, a 10pm arrival restriction is required, and no sign is proposed. This requirement has been met.

- There shall be no exterior advertising regarding the lodging house exhibited on the premises except for one wooden identification sign not to exceed two square feet on each of two sides. Each side of the sign can be used for identification.

No sign is proposed. This requirement has been met.

- The short term lodging time limit can be extended by the Planning Board if deemed appropriate.

Application for extended term lodging will be made to the Planning Board if necessary. This requirement has been met.

The following conditions to protect the neighborhood are imposed as part of the Special Permit:

1. This Special Permit is hereby issued to one individual in the person of Ronni Krasny and can be transferred only by amendment by the Planning Board. In the event of the demise of the Special Permit holder, the Special Permit shall be automatically transferred to the heirs of the holder for a period not to exceed six (6) months, extendable for good cause to be determined by the Planning Board. The heirs shall use this time period to affect a permanent transfer of the Special Permit, such transfer subject to Planning Board approval by amendment.
2. This Special Permit is for a maximum use of 2 bedrooms and 1 bathroom with no more than 5 people staying at any one time.
3. At least 4 off-street parking spaces shall be provided on site.
4. This Special Permit can be revoked by the Planning Board after holding a public hearing in accordance with M.G.L., Chapter 40A, if the conditions of the Special Permit have not been adhered to, the premises does not comply with zoning, or the Planning Board determines the proposed use is detrimental to the neighborhood.
5. Arrivals shall occur not later than 10pm. Some leniency with this time restriction is allowed due to unforeseen circumstances such as but not limited to traffic and airport delays.



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Substantial use of the Special Permit shall be commenced or construction begun except for good cause, within one (1) year 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.

Appeals, if any, shall be made pursuant to M.G.L., Section 17, Chapter 40A, and shall be filed within twenty 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 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 Building Commissioner. 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 the Special Permit for 63 Captains Lane does not imply compliance with other Town ordinances, standards, and/or requirements administered by other Town agencies.

Appointment

- (10) Alan Heureux, P.E., Boucher & Heureux, Inc.**
RE: Initial Review of an Off-Street Parking Plan
7-9 Bridge Street (304 Elm Street)

Also Present: Per Lofberg
Mark Schmidt, Architect

The Planning Director explained that the plan proposes a small parking lot (5 spaces) for a mixed use building with a retail/market use on the first floor and 3 residential condominiums on the 2nd floor. He noted that the Special Permit was previously approved by the Planning Board for the use. A bike rack and park bench



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are proposed within the right-of-way for Bridge Street and 5-foot wide sidewalk is proposed on the subject property, which an easement is already in place for. A 3-stall garage located within the structure is proposed for the residential units, and the market will have an outdoor seating area adjacent to the building.

Alan Heureux reviewed the site plan in detail with the Board. A rendering showing the proposed structure was available and discussed.

Mark Schmidt reviewed the plans for the condominiums, which would include elevator access.

Mr. Heureux is also working with the DPW, Planning Director, and Padanaram Business Association on the Padanaram Village Sidewalk Plan. He completed a sidewalk/circulation plan for Padanaram. The Planning Director noted that for the Town to fully consider new circulation patterns in the village, accurate traffic counts should be taken to better understand the full effects of the plan on the neighborhood and determine if restrictions on delivery times would be needed.

The Board questioned the impact on this proposed project if the sidewalk plan did not go through. Mr. Heureux stated that the project would not be negatively impacted if the sidewalk plan did not go through.

The Planning Director questioned the location of the dumpster. Mr. Schmidt explained that the dumpster would be located in a recessed area in the back of the building, closed with wooden gates.

The Board was pleased with the proposed project and wished the applicant success.

A motion was made by John Sousa, duly seconded by Lorri-Ann Miller, and unanimously voted (5-0) to approve the submitted parking plan with the condition that the 5 off-street parking spaces not be restricted to residents only.

- (11) Alan Heureux, P.E., Boucher & Heureux, Inc.**
RE: Padanaram Village Sidewalk Plan

Discussed with the 7-9 Bridge Street off-street parking plan review.

- (12) Future Planning Board Meeting Schedule**

A motion was made by John Sousa, duly seconded by Joseph Toomey, and unanimously voted (5-0) to approve the following amended Planning Board schedule through September 2015.



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**Planning Board's Meeting Schedule thru September 2015
Planning Board Meeting Room #314**

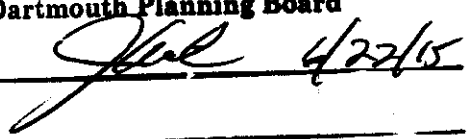
Monday, June 22, 2015	Regular Planning Board Mtg./Long Range Planning
Monday, July 13, 2015	Regular Planning Board Mtg./Long Range Planning
Monday, July 27, 2015	Regular Planning Board Mtg./Long Range Planning
Monday, August 10, 2015	Regular Planning Board Mtg./Long Range Planning
Monday, August 17, 2015	Regular Planning Board Mtg./Long Range Planning
Monday, August 24, 2015	Public Hearing – Zoning Articles (FTM 2015) Regular Planning Board Meeting
Monday, September 14, 2015	Regular Planning Board Mtg./Long Range Planning
Monday, September 28, 2015	Regular Planning Board Mtg./Long Range Planning

Due to the late hour, Chairman Avila called for a motion to adjourn and tabled the remaining agenda items.

- (13) **Discussion: Sign Bylaw Draft**
- (14) **For Your Information/New Business**

A motion was made by Kevin Melo, duly seconded by Lorri-Ann Miller, and unanimously voted (5-0) to adjourn this evening's regular meeting at 11:25 p.m.

The next Planning Board meeting is scheduled for June 22, 2015, in Room #315, Town Office Building, 400 Slocum Road.

APPROVED BY:
The Dartmouth Planning Board


Respectfully submitted,
Jane Kirby
Planning Aide



**PLANNING BOARD PUBLIC HEARING MINUTES
June 8, 2015**

**Special Permit regarding a Lodging House
Prepared for Ronni Krasny – 63 Captains Lane
Meeting Room #304**

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

The Chairman opened the public hearing¹ at 7:58 p.m. in Room #304 concerning a request for a Special Permit as defined in Section 5.303 of the Dartmouth Zoning By-Laws for Lodging Houses (Bed & Breakfast). The application was submitted by Ronni Krasner, 63 Captains Lane, Dartmouth, MA for property owned by her as shown on Assessor's Map 121, Lot 84. The proposed Bed and Breakfast will have two bedrooms and two baths.

The application was submitted to the Planning Board Office on April 13, 2015.

All Planning Board members and Planning Staff were present.

Also Present: Ronni Krasny, Applicant
 Richard Burke, Esq., Representing Applicant
 Numerous Abutters and Parties in Interest

Chairman Avila reviewed public hearing procedure for those present.

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

The Planning Director listed the correspondence received:

- Application for a Special Permit time-stamped with the Town Clerk on April 14th, with an attached brief dated April 7, 2015 from Ronni Krasny
- Letter of withdrawal dated May 4, 2015 from Ronni Krasny
- Letter requesting continuance dated May 11, 2015 from Ronni Krasny

¹ For more information, see minutes of the Planning Board's regular meeting of June 8, 2015

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Special Permit regarding a Lodging House
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- Letter dated May 20, 2015 to the Planning Board from Ronni Krasny with 5 attachments
 - 1. Listings on Airbnb
 - 2. Communications from potential guests
 - 3. Letter to abutters and neighbors May 2015
 - 4. Petition in support of Special Permit (67 signatures)
 - 5. Letter dated June 1, 2015 from Gretchen Baker-Smith

Letters of support

- Email correspondence dated "Received June 1, 2015" from Andrea Bonsignore
- Letter dated "Received June 3, 2015" from David Chipman and Helen Folweiler
- Email correspondence dated June 4, 2015 from Anne Whiting
- Email correspondence dated June 8, 2015 from Michael Macomber & Kevin Horst
- Email correspondence dated June 8, 2015 from Christine Hubert
- Email correspondence dated June 8, 2015 from Wayne & Dolores Cole

Exhibits 1 through 10 submitted by Judge Harper

- 1. Petition of opposition to Special Permit (49 signatures)
- 2. Letter from Ronni Krasny dated April 7, 2015
- 3. 2 bedroom apartment website listing
- 4. Airbnb "No Endorsement" disclaimer
- 5. Studio apartment website listing
- 6. Website reviews for Ronni Krasny
- 7. Letter from Ronni Krasny dated May 13, 2015
- 8. Section 5.303 Lodging Houses (Bed & Breakfast)
- 9. Section 5.203 Renting of Rooms
- 10. Aerial Map dated April 29, 2015

Attorney Burke submitted photos and a floor layout of the subject property. He stated that the petition is for a Special Permit pursuant to Section 5.303 of the zoning bylaws and that his client is seeking permission to use 2 bedrooms and 1 bathroom to serve no more than 5 people. He noted that Section 5.203 allows renting to a maximum of two additional people with the owner on premises, which his client could do by right.

Attorney Burke proceeded to review the floor layout of the proposed Bed & Breakfast,



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Special Permit regarding a Lodging House

Prepared for Ronni Krasny – 63 Captains Lane

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which showed a shared common kitchen and shared common bathroom and could be used as a studio or two-bedroom apartment by renters. He stated that no sign is proposed for the business. He believed the traffic impact would be negligible because typically the renters will come in 1 car, noting that most of the stays will be on weekends or short-term special occasions.

Attorney Burke stated that the petition qualifies for a Special Permit under the criteria outlined in 5.303 because:

- The house appears to be a single-family home (will not change)
- Adequate off-street parking is provided
- The home uses Town water and Town sewer
- The property owner will occupy the premises
- No exterior advertising or sign is proposed
- Will not be a nuisance to the neighborhood
 - Less traffic impact than a typical 4-bedroom home
- Seasonal business; not looking for an extension
- Needed use in Town to promote tourism
- Will remain a good neighbor
 - Ronni Krasny has lived in the neighborhood for over 20 years
- Quiet business, professionally run

Chairman Avila asked if anyone in the audience that is in favor of this be proposal wished to be heard.

The following people spoke in favor:

- Leonard Philips, 3 Delano Way
- James Perry, 147 Russells Mills Road
- Mary Mandeville, 405 Elm Street
- Sarah Myers, 38 Anthony Street
- Michael Correia, 9 Delano Way
- Robert Lytle, 76 Shipyard Lane
- Louis Garibaldi, 44 Anthony Street

Chairman Avila asked if anyone opposed wished to speak.

The following people spoke in opposition:

- Retired Judge Ronald Harper, 44 Captains Lane
(reviewed his submitted exhibits in detail)
- William Brennon, 42 Wilson Street
- Steven Hamel, 57 Captains Lane
- Susan Dupuis, 66 Captains Lane



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- Andrew Hess, 38 Captains Lane
- Richard Bachstein, 86 Shipyard Lane
- Richard White, 75 Shipyard Lane
- Marial Harper, 44 Captains Lane
- Roger Motta, 66 Captains Lane

Those who spoke in favor made the following points:

- Ronni Krasny is a good neighbor
- A Bed & Breakfast is needed in this part of Town
- Previous guests have been super people
- People can have dinner parties that would create increased traffic and parking on the street

Those who spoke against made the following points:

- Increases pedestrian and automobile traffic in this quiet neighborhood
- Adversely affects the character of the neighborhood
- Neighborhood designed to be private and peaceful
 - No sidewalks, short streets
 - Minimal street lights
 - Light traffic, only used by residents
- Complaint letter sent to ZBA in 2014 due to increased traffic, especially on weekends, which was forwarded to the Zoning Enforcement Officer
 - Resulted in the Special Permit request
- Has been operating as a Bed & Breakfast business
- A nuisance to the neighborhood with noise and traffic
- Bylaw 5.303 requires food service
 - Ronni Krasny's letter stated she does not serve food
- Can't control who she rents to
 - Want to keep the neighborhood safe
- Over 2 people is disruptive to the neighborhood
- Lights shining in window with late night arrivals
- Business in a small neighborhood is a bad idea
- The business is close to the harbor
 - Boaters may come in to the harbor to stay at the Bed & Breakfast
 - Where will boaters legally put their boats?
- Boatyard closes at 4 p.m.

Chairman Avila asked the Planning Board if they had any questions or comments.

The online reviews of Ronni Krasny through the website Airbnb were discussed. One review stated that they had never met Ms. Krasny. A Board member questioned who



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manages the Bed and Breakfast in her absence. Attorney Burke responded that she lives there and is the manager. Ms. Krasny explained the incident where the renter did not meet her.

A Board member questioned Judge Harper's point regarding Ms. Krasny not serving food. Attorney Burke responded by saying that this is a zoning issue and did not believe food was an actual requirement. He stated that his client would comply if the Board determined it was necessary.

A Board member pointed out that there is an existing business in the neighborhood – the shipyard. He noted that no one is complaining about the noise of the shipyard.

The Board discussed hours of operation and determined if the Special Permit is approved, arrivals should occur no later than 10 p.m. except in unforeseen circumstances such as traffic or airport delays.

A Board member pointed out that the floor layout shows that the property could either be rented out as a studio or as a 2-bedroom apartment, but not both at the same time.

Chairman Avila asked if Attorney Burke had any final comments.

Attorney Burke summarized by reiterating earlier points made. He stated that his client wants to be on-site to manage the property and has been renting to up to 2 people to date, but would like the ability to rent to more than 2 people. He stated that his client would agree with the restrictions discussed at this public hearing.

Susan Dupuis asked to be heard again, which Chairman Avila allowed. She questioned the policy on having children in the house. Ronni Krasny responded by stating that no small children are allowed since the house is not childproof, but older children that don't require childproofing are allowed.

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

A motion was made by John Sousa, duly seconded by Kevin Melo, and unanimously voted (5-0) to close the public hearing and take action on this Special Permit request in the Board's regular meeting. 9:56 p.m. Public hearing closed.

APPROVED BY:
The Dartmouth Planning Board



Respectfully submitted,
Jane Kirby
Planning Aide



PLANNING BOARD PUBLIC HEARING MINUTES

June 8, 2015

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entitled "Sheldon Woods"

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The Chairman opened the public hearing¹ at concerning an Amended Definitive Subdivision Plan entitled "Sheldon Woods" located off Old Fall River Road. The plan was prepared by Kenneth R. Ferreira Engineering for Roberto C. Viveiros for land owned by same. The plan proposes to amend the previously approved 2-lot subdivision on Assessor's Map 64/Lots 94 & 95 by changing the 16' wide paved road to an 18' wide gravel road (same length - 200') and the name of said road from Skildeim Farm Lane to Viveiros Way.

The application was submitted to the Planning Board Office on May 12, 2015.

All Planning Board members and Planning Staff were present.

Also Present: Roberto Viveiros

Chairman Avila reviewed public hearing procedure for those present.

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

The Planning Director listed the correspondence received:

- Letter from DPW dated May 22, 2015

Mr. Viveiros gave a brief explanation of the amendment request, as stated in the above legal advertisement.

Chairman Avila asked for public comment. No public comment was received.

¹ For more information, see minutes of the Planning Board's regular meeting of June 8, 2015



PLANNING BOARD PUBLIC HEARING MINUTES

June 8, 2015

**Amendment to Definitive Subdivision Plan
entitled "Sheldon Woods"**

Meeting Room #315


Town Office Building, 400 Slocum Road, Dartmouth, MA

Chairman Avila asked the Board if there were any questions for the applicant. No questions were asked.

Chairman Avila called 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 7:15 p.m. and take action on this amendment request during the Board's regular meeting.

APPROVED BY:
The Dartmouth Planning Board



Respectfully submitted,
Jane Kirby
Planning Aide