



**PLANNING BOARD REGULAR MEETING MINUTES OF
NOVEMBER 23, 2015
Meeting Room #315
Town Office Building, 400 Slocum Road, Dartmouth, MA**

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DARTMOUTH TOWN CLERK

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

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 October 26, 2015
Regular Meeting of November 9, 2015

A motion was made and seconded to approve the above-referenced minutes.
Unanimous vote (5-0) to approve.

- (2) **Invoices***
Reimbursement to John P. Hansen, Jr. \$545.00
(American Planning Association – for AICP, Membership, etc.)

A motion was made and seconded to approve the above-referenced invoice.
Unanimous vote (5-0) to approve.

- (3) **Correspondence***
Legal Notices from Dartmouth Conservation Commission
Legal Notices from Town of Freetown

A motion was made to acknowledge and file the above-referenced correspondence.
Unanimous vote (5-0) to approve.

- (4) **For Your Information/New Business**

- Planner's Report
- Subcommittee Reports

No reports given at this meeting.



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(5) Planning Board 2016 Priority List*

The Board completed its draft Site Plan Review Bylaw and now needed to prioritize the next Long Range Planning agenda items.

The Planning Director forwarded a proposed priority list of possible Planning Board 2016 Long Range Planning Projects.

Below is a summary of options that have had prior action:

- Sign Bylaw draft completed by SRPEDD
- State Road Gateway Zoning Study completed by SPREDD
- Cell Tower Bylaw draft forwarded to Town Counsel
- Rt. 6/Faunce Corner Road Retail study by SRPEDD almost complete
- Subdivision Rules and Regulations update forwarded to Town Counsel

The Planning Director recommended that multiple selections be chosen at once.

Discussion ensued.

Chairman Avila requested that the Board consider amending Section 3B.105 of the Town's Zoning Bylaw as a result of a recent, controversial Zoning Board of Appeals case.

The bylaw currently reads:

3B.105 Expansion or Change of Non-Conforming Uses Other Than One or Two Family Residential Uses

Non-conforming uses other than a one or two family residential use may be extended or changed to another non-conforming use only by Special Permit granted by the Board of Appeals.

The Board of Appeals shall not issue a Special Permit unless the Board finds that the extension is not more detrimental to the neighborhood than the existing non-conforming use.

Chairman Avila suggested that the bylaw should eliminate allowing changes of non-conforming uses, and only allow by Special Permit an expansion of a non-conforming use. The Board agreed with this proposed bylaw amendment.



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The Board determined that the following items will be next on its priority list, in the order listed:

1. Amend 3B.105 Expansion or Change of Non-Conforming Uses Other Than One or Two Family Residential Uses
2. Sign Bylaw
3. State Road Gateway Zoning
4. Recreational Uses in Single Residence A & B Districts allowed by Special Permit

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

A motion was made and duly seconded by and unanimously voted to adjourn this evening's regular meeting at 8:00 p.m.

The next Planning Board meeting is scheduled for December 7, 2015 in Room #315, Town Office Building, 400 Slocum Road.

APPROVED BY:
The Dartmouth Planning Board

Respectfully submitted,
Jane Kirby
Planning Aide