

MINUTES OF REGULAR PLANNING BOARD MEETING OF FEBRUARY 22, 2010
Held at 7:00 p.m., Room #315, Town Office Building
400 Slocum Road, Dartmouth, MA

Planning Board

Mr. John V. Sousa, Chairman
Mr. Joseph E. Toomey, Jr., Vice-Chairman
Mr. John P. Haran, Clerk
Mrs. Lorri-Ann Miller
Mr. Arthur C. Larrivee

Planning Staff

Mr. Donald A. Perry, Planning Director
Mrs. Joyce J. Couture, 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 February 8, 2010

A motion was made by Mr. Toomey, duly seconded by Mr. Larrivee for discussion, and unanimously voted (5-0) to approve the minutes of the regular Planning Board meeting of February 8, 2010 as written.

(2) Invoices

W.B. Mason dated February 11, 2010 for \$225.05
re: miscellaneous office supplies

A motion was made by Mr. Toomey, duly seconded by Mr. Haran for discussion, and unanimously voted (5-0) to approve payment of the invoice from W.B. Mason in the amount of \$225.05.

(3) Correspondence

Legal Notices from Conservation Commission

A motion was made by Mr. Toomey, seconded by Mrs. Miller for discussion, and unanimously voted (5-0), to acknowledge and file the above referenced legal notices from the Conservation Commission.

MINUTES OF REGULAR PLANNING BOARD MEETING OF FEBRUARY 22, 2010

(6) Approval of Planning Board meeting schedule through May

A motion was made by Mr. Toomey, duly seconded for discussion by Mr. Haran, and unanimously voted (5-0) to approve the following Planning Board meeting schedule thru June 2010:

Monday, March 1, 2010	-	NONE
Monday, March 8, 2010	-	Regular Meeting/Long Range Planning
Monday, March 15, 2010	-	NONE
Monday, March 22, 2010	-	Regular Meeting/Long Range Planning
Monday, March 29, 2010	-	NONE
Monday, April 5, 2010	-	Regular Meeting/Long Range Planning
Monday, April 12, 2010	-	Regular Meeting/Long Range Planning
Monday, April 19, 2010	-	NONE - PATRIOT'S DAY
Monday, April 26, 2010	-	Regular Meeting/Long Range Planning
Monday, May 3, 2010	-	NONE
Monday, May 10, 2010	-	Regular Meeting/Long Range Planning
Monday, May 17, 2010	-	NONE
Monday, May 24, 2010	-	Regular Meeting/Long Range Planning
Monday, May 31, 2010	-	NONE – MEMORIAL DAY
Tuesday, June 1, 2010		ANNUAL SPRING TOWN MEETING
Monday, June 7, 2010	-	Regular Meeting/Long Range Planning
Monday, June 14, 2010	-	NONE
Monday, June 21, 2010	-	Regular Meeting/Long Range Planning
Monday, June 28, 2010	-	NONE
Monday, July 5, 2010	-	NONE – FOURTH OF JULY

(7) Request for street determination on a portion of Fenton Street

The Planning Director stated that Fenton Street is located off Morton Avenue between Old Westport Road and State Road. The existing built section of Fenton Street is 20.8' wide and the applicant needs to extend the pavement 30 feet west at the end of pavement. Mr. Perry noted that the standard in the Subdivision Regulations for pavement width is 16 feet wide when serving 2 or less houses. He also noted that the Pictometry image confirms that at most two dwellings would be served by this extension because of wetlands. The applicant is proposing to extend Fenton Street at 20.8" wide and therefore, Planning Staff is recommending favorably on this request.

The Chairman asked for clarification on how the Planning Director is formulating his recommendations. Mr. Perry explained he uses the newly updated road standards in the Subdivision Regulations.

Discussion ensued.

Richard Arruda, Fire Chief District #3, was present this evening and joined in this discussion. He noted that under the Fire Code he always requires a minimum of 18 feet. He alluded to a recommendation he had sent for the last Planning Board meeting on Berkshire Street which the Board ultimately voted not to follow. Chief Arruda pointed out that when he is asked to send a letter of recommendation to the Board on

MINUTES OF REGULAR PLANNING BOARD MEETING OF FEBRUARY 22, 2010

these

matters, he takes it very seriously; he always conducts a site visit, and makes a recommendation on a case-by-case basis.

It was suggested that possibly the Board should revisit standards for street determinations. In general, Board members agreed it is better to be consistent and continue with what exists and keep the road width comparable. One Board member felt strongly that he would always follow the recommendation of the Fire Chief.

Board members thanked Chief Arruda for his input this evening. It was mentioned by Chief Arruda that if the Board felt it necessary, he is quite sure all the Fire Chiefs would be willing to come back and discuss these issues again.

A motion was made by Mr. Haran, duly seconded by Mr. Toomey, and unanimously voted (5-0) to send a letter to the applicant, Ken Steen (Well Built Homes), and also the appropriate Town departments, informing them that the Planning Board voted to recommend a pavement width of 20.8 feet wide for a distance of 30 feet which is the same width as the existing Town accepted portion of Fenton Street. The Dartmouth Department of Public Works should be consulted for paving standards and to approve utilities and drainage. This determination is valid until February 22, 2011.

Appointments

(4) 7:10 P.M. – APPOINTMENT – Jason Wentworth (Finance Committee): Discussion on Planning Board's F/Y'11 budget request

Jason Wentworth, the Finance Committee's liaison to the Planning Board, was present this evening to meet with the Planning Board to familiarize himself with the Planning Board's F/Y'11 budget request.

The Planning Director briefed Mr. Wentworth on the details of this year's submission. He pointed out the budget includes a request to restore 10 clerical hours from the lost 25 hour position from the previous fiscal year and re-establish a \$1,000. Other Salaries line item. He asked for Mr. Wentworth's advice.

Discussion ensued.

Mr. Wentworth explained the Finance Committee in general will be looking to level fund most departments. However, they also look at areas of need. He felt the Board's request was reasonable.

Concluding, the Board expressed their appreciation and thanked Mr. Wentworth for coming this evening and taking the time to acquaint himself with the Board's concerns.

MINUTES OF REGULAR PLANNING BOARD MEETING OF FEBRUARY 22, 2010

(5) 7:30 P.M. – APPOINTMENT – Representatives from business community: Discussion of height standards for Limited Industrial District

Present: Scott Costa, Bufftree Building Co.
Bill Whelan, Whelan Associates, LLC

Representatives from the business community that have built office and industrial developments were invited this evening to have a general discussion and offer input on the merits of increasing the height limits in the Limited Industrial zoning district.

It was mentioned that Paul Downey, Sakonnet Properties, was also asked to attend but was unable to be present. However, Mr. Costa and Mr. Whalen did note that the three of them had met earlier in the day to exchange ideas.

For reference, the Planning Director had provided the Board with Pictometry images of Whites of Westport (a 4 storey building) and the Residence Inn (a 3 storey building) showing the height of the building wall, height to the elevator overrun, and height of gable roof.

Lengthy discussion ensued.

Various examples of building needs were explored with respect to use. In summary, the following details were recognized:

- 9'-10' floor to ceiling heights are typical for office buildings with 2'-3' for utilities between floors and 2'-3' for structural elements between floors. This adds up to approximately 16' required for each storey.
- Three storeys would be 48' in height, which could be rounded to 50' for a height standard.
- The single storey floor to ceiling height for industrial manufacturing can be 20'-30'.
- Medical offices sometimes need 12' to 20' for a floor to ceiling where specialized medical equipment is installed.
- A good bylaw would allow a 50' maximum for buildings/structures with no more than 3 storeys. An additional 20' in height should be allowed for parapets, elevator overruns, HVAC units, etc. The Planning Board should have the ability to grant by Special Permit height increases for non-habitable structures above 70' and to allow 5-storey buildings.

Administrative Items (cont.)

(8) Project Timeline Chart

- No comment.

MINUTES OF REGULAR PLANNING BOARD MEETING OF FEBRUARY 22, 2010

(9) Planner's Report

- As a follow-up, the Planning Director updated the Board on the status of the proposal to convert the old State Police Barracks on State Road into Veteran's housing. Currently, it is going through the State process to set a "sale price" for the Town. As long as the price is reasonable, the proposal should move forward.
- The Planning Director noted that Hollywood Video will be closing and Shaw's has already contacted Planning Staff with a proposal for a new use on that site. There is a good possibility it could become a McDonalds with a drive-thru.
- The approval by Special Permit for a dementia unit at the Autumn Glen Assisted Living facility on Cross Road has lapsed and they will be filing a new formal submission to the Planning Board.
- Walgreen's has settled an appeal out of court with the abutter and the project is going forward. It also appears there will be vehicle connections between the St. Anne's Plaza and the Walgreen's development allowed upon the completion of Walgreen's.

(10) For Your Information/New Business

- Planning Staff timesheets
- Letter from David Cressman re: Brady Estates

Brief update by Planning Director on the 40B project called Brady Estates located off N. Hixville Road

- E-mail to Padanaram Village Review Committee members

The Chairman made mention that he asked Planning Staff to send an email to the Padanaram Village Review Committee members thanking them for all their hard work and support in the passage of the Village Business District zoning bylaw at Town Meeting. Board members were very pleased that a note of appreciation was sent.

- Street Acceptance Procedure

The Chairman asked if there was any other business this evening. There was none. Mr. Sousa noted that the next Planning Board meeting is scheduled for March 8, 2010, in room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn the meeting.

A motion was made by Mr. Larrivee, seconded by Mr. Haran, and unanimously voted (5-0), to adjourn this evening's meeting at 10:10 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture

MINUTES OF REGULAR PLANNING BOARD MEETING OF FEBRUARY 22, 2010

Planning Aide