

MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 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 four Planning Board members and Planning staff present. Mr. Toomey arrived a few minutes late at 7:04 p.m.

Administrative Items

(1) Approval of Minutes

Regular Meeting of March 8, 2010

A motion was made by Mrs. Miller, duly seconded by Mr. Larrivee for discussion, and unanimously voted (4-0) to approve the minutes of the regular Planning Board meeting of March 8, 2010 as written.

Executive Session of March 8, 2010

A motion was made by Mrs. Miller, duly seconded by Mr. Haran for discussion, and unanimously voted (4-0) to approve the minutes of the executive session of March 8, 2010 as written.

(2) Correspondence

Legal Notices from City of Fall River
Legal Notices from Board of Appeals
Legal Notices from Conservation Commission

A motion was made by Mrs. Miller, seconded by Mr. Larrivee for discussion, and unanimously voted (4-0), to acknowledge and file the above referenced legal notices.

MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 22, 2010

(3) Update on Project Timeline Chart

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted (4-0) to acknowledge and file the update on the project timeline chart.

(4) Time extension request on deadline to complete required improvements in the "Antonio Way Extension" Subdivision

The Planning Director reported that the developer is requesting a 1-year extension to complete improvements in the Antonio Way Extension Subdivision. There is a signoff from the current lot owner and the Department of Public Works has confirmed that the current surety is sufficient to complete this 1-lot subdivision. Mr. Perry recommended favorably on this request.

Brief discussion ensued.

A motion was made by Mrs. Miller, duly seconded by Mr. Haran, and unanimously voted (4-0) to approve the request to extend the deadline to complete required improvements in the Definitive Subdivision Plan entitled "Antonio Way Extension" from April 3, 2010 to April 3, 2011.

Mr. Toomey arrived at this time being 7:04 p.m.

(5) Amendment to Padanaram Acres Performance Covenant

present Lee Castignetti, representing Long Built Homes

The Planning Director pointed out that at the last Planning Board meeting, Town Counsel explained to Board members the rationale for this covenant amendment.

Mr. Castignetti explained that he has with him tonight revised covenant amendment language that was reviewed by Town Counsel earlier in the day. He asked that the Planning Board vote to approve the revised covenant amendment this evening.

Brief discussion ensued.

A motion was made by Mrs. Miller, duly seconded by Mr. Larrivee, and unanimously voted (5-0) to approve the amended Padanaram Acres Performance Covenant dated March 22, 2010 pending approval by Town Counsel.

(6) Review of Off-Street Parking Plan for Cushman School/Southworth Library

present: Rick Ferreira, School Department
Tim Lancaster, Superintendent of Parks

The Planning Director mentioned that he has been working with the Select Board and Park Department in conjunction with the School Department to develop a playground

MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 22, 2010

with a community access drive and bus drop-off for the Cushman School. He referenced the concept plan which he had prepared for the Planning Board's consideration. He noted that the Select Board is seeking funding to develop this proposal, as well as, the final plans. Mr. Perry noted that this meeting is to request the approval of the Planning Board. He noted that he feels the Planning Board can approve the concept plan, because Planning staff is closely involved in this project.

Discussion ensued.

A motion was made by Mrs. Miller, duly seconded by Mr. Haran, and unanimously voted (5-0) to approve with conditions, the Off-Street Parking Plan entitled "Proposed Playground and Access Drives" dated March 15, 2010 prepared for Dartmouth Public Schools, 8 Bush Street, Dartmouth, MA 02748 to be located at Cushman School and the Southworth Library, Dartmouth Street/Sol-E-Mar Road, Dartmouth, MA. The Parking Plan was submitted to the Planning Office on March 16, 2010.

The Plans referred to in this action are listed below:

<u>Title</u>	<u>Date</u>
Proposed Playground and Access Drives	March 15, 2010

Conditions of approval are listed below:

1. The following details are not shown on the plan, but are required when the improvements are completed:
 - a. A 30' wide community access loop with parallel parking for 12 cars.
 - b. An 18' wide bus drop-off.
 - c. Both drives to be edged in Cape Cod berm.
 - d. All sidewalks to be 6' wide.
2. Drainage shall be designed by the Department of Public Works.

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

(9) For Your Information/New Business

At this time the Planning Board recognized Michael O'Reilly, Environmental Affairs Coordinator, who was present this evening to ask for the Board's support and request that the Planning Board send a letter of recommendation to the Community Preservation Committee on an application to acquire 2.7 acres of land off Russells Mills Road.

Mr. O'Reilly explained that he would like the Town to purchase land along Russells Mills Road between the existing Paskamansett Park and the stone bridge which

MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 22, 2010

includes the Paskamansett River. Since this area along Russells Mills Road is mostly upland, brush could be cleared to open views of the river and provide tables for picnicking. A stonewall would be built along the road here and across the street adjacent to the existing Conservation Commission land. The CPC application also includes surfacing the existing parking area in the Paskamansett Park with crushed sea shells.

Discussion ensued.

A motion was made by Mrs. Miller, duly seconded by Mr. Larrivee, and unanimously voted (5-0) to send a letter of support to the Community Preservation Committee to fund Paskamansett Park Phase II. The Planning Board felt this is an opportunity to purchase additional riverfront adjacent to the Town's existing park and it will help expand for public use a scenic and historic section of Russells Mills Road. Phase II will create a roadside picnic area and improve visual access for travelers using Russells Mills Road. Providing informational signage on the site as indicated in the project's application would also add a wonderful educational component. The Planning Board felt this application satisfies the Community Preservation Committee's multiple missions of open space protection and recreational use, and it complements historic preservation. The Planning Board highly recommended approval of this application.

(7) Discussion on Planning Board's alternate member for Special Permits

The Planning Director noted that Staff has spoken with Kathleen DeSordo, the current Planning Board's alternate member for Special Permits, regarding whether she was still interested in serving. Ms. DeSordo indicated she would like to continue as the Board's alternate member. However, she did note that she would be out of Town until May 8th.

Discussion ensued. Since there was a Special Permit hearing scheduled on April 26th with one Board member already informing the Board he would not be present that evening, and a Special Permit requires a 4 out of 5 super majority, that left only four members to sit for the hearing. The Board requested that Staff check with the applicants to see if they would like to go forward that evening, or possibly come before the Board with a preliminary discussion, or postpone the public hearing to another date.

(8) Planner's Report

- Mr. Perry noted that he spoke with Cindy Marland from DCTV about whether room #315 could be used to film Planning Board meetings. She explained it was not in the budget.
- The Planning Director said he met with Dave Cressman about the Planning Board's proposed budget and our request for additional funding. Dave Cressman was very frank and stated that the Town's financial priority was determined to be all day kindergarten.
- Mr. Perry stated that he spoke with Mike O'Reilly and Dexter Mead from DNRT regarding smaller parcels of open space generated in OSRD subdivisions.

MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 22, 2010

Generally, DNRT does not want to enforce restrictions on small parcels. However, since small parcels are sometimes worth preserving, each subdivision will be looked at on a case-by-case basis. The Planning Board always has the option of turning down OSRD plans with too small open space.

For Your Information/New Business (cont.)

- Public hearing notice for zoning articles for June Annual Town Meeting
- Public hearing notice for Definitive (OSRD) Subdivision Plan entitled "Bethany Estates"
- Planning Staff timesheets

New Business

- The Chairman received notice of a street discontinuance petition for Beverly Street from the Select Board's office. The Planning Director was asked to look into street discontinuances with Town Counsel.

Long-Range Planning

(10) Review of draft Office Industrial District bylaw

The Planning Board reviewed page by page the draft Section 14A – Office Industrial District language prepared by the Planning Director as a result of direction from the last Planning Board meeting. This new district would apply to land currently zoned Limited Industrial located along Faunce Corner Road.

The Board provided comments on each section.

Lengthy discussions involved truck traffic, factory outlets, hotels and conference centers, fence setbacks, and architectural standards.

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 April 5, 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 Mrs. Miller, seconded by Mr. Larrivee, and unanimously voted (5-0), to adjourn this evening's meeting at 9:37 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide