

MINUTES OF REGULAR PLANNING BOARD MEETING OF APRIL 12, 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 three Planning Board members and Planning staff present. Mr. Larrivee and Mrs. Miller were unable to attend.

Administrative Items

(1) Approval of Minutes

Regular Meeting of April 5, 2010

A motion was made by Mr. Toomey, duly seconded by Mr. Haran for discussion, and unanimously voted (3-0) to approve the minutes of the regular Planning Board meeting of April 5, 2010 as written.

Public Hearing of April 5, 2010 “Amendment to Sp. Permit for Autumn Glen”

A motion was made by Mr. Toomey, duly seconded by Mr. Haran for discussion, and unanimously voted (3-0) to approve the public hearing minutes of April 5, 2010 “Amendment to Special Permit for Autumn Glen” as written.

(2) Correspondence

Legal Notices from City of Fall River
Legal Notices from Town of Westport
Legal Notices from Conservation Commission

A motion was made by Mr. Toomey, seconded by Mr. Haran for discussion, and unanimously voted (3-0), to acknowledge and file the above referenced legal notices.

(4) Update on Project Timeline Chart

The Planning Director mentioned that he spoke with Town Counsel regarding his legal evaluation on the update on Section 16 zoning. Mr. Perry said Town Counsel has been

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very busy doing work for the Select Board but he is almost done with his review.

(5) SRPEDD 20 hours of assistance

The Planning Director stated that he spoke with Dave Cressman and personnel at SRPEDD about using the annually allotted 20 hours of SRPEDD staff time to work on a FEMA project. SRPEDD said they could do it. Board members were generally in favor of this suggestion, but decided to delay voting on this matter until the next Board meeting (or until a full Board is present).

(6) Street design recommendation for Buttonwood Road

The Planning Director mentioned that over the next few years, the Department of Public Works will be reconstructing a number of streets in the Bliss Corner area. Mr. Perry said that Dave Hickox is seeking a Planning Board recommendation on road standards for Buttonwood Road which could also be used for other nearby streets in the future.

Discussion ensued.

A motion was made by Mr. Haran, duly seconded by Mr. Toomey, and unanimously voted (3-0) to forward the following recommendations to David Hickox, Department of Public Works, regarding his request for road standards on the reconstruction of Buttonwood Road.

1. The Planning Board recommends maintaining the 30-foot road width, but would consider a different road width such as 26 feet if a survey of residents on Buttonwood Road indicated that the majority would approve a different road width.
2. Vertical concrete or granite curbing should be used.
3. Maintain a 4-foot asphalt sidewalk on both sides of the street.

Public Hearing

(3) 7:15 P.M. – PUBLIC HEARING - Proposed zoning amendments to the Dartmouth Zoning By-Laws:

Article A - would amend the Waterfront Overlay District, Subsection 18.500, by making the parking requirements for Waterfront Overlay District uses, the same as in the underlying newly adopted Village Business District.

Article B - would amend Section 16, Off-Street Parking Regulations, to allow repaving a parking facility without an off-street parking plan.

Article C - would amend Section 16, Off-Street Parking Regulations, to allow 2 or less medical practitioners the ability to have less required off-street parking.

Article D - would amend the Limited Industrial District, Section 14.402, to increase the maximum height limit from 35' to 50' and 60' and change the Special Permit for height increase above 60' from the Board of Appeals to the Planning Board.

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A motion was made by Mr. Toomey, duly seconded by Mr. Haran, and unanimously voted (3-0) to recess the regular meeting at 7:15 p.m. in order to go into the public hearing on the proposed zoning amendments to the Dartmouth Zoning By-Laws.

The regular meeting resumed at 7:23 p.m.

Administrative Items

(7) Report with Recommendations to Town Meeting on zoning articles for June Annual Town Meeting

As a result of this evening's public hearing, and after Board discussion, a motion was made by Mr. Toomey, duly seconded by Mr. Haran, and unanimously voted (3-0) to forward the following recommendation on Article A for Annual Spring Town Meeting:

Planning Board Report with Recommendation on Article A Annual Spring Town Meeting, June 1, 2010

The proposed Zoning By-Law amendment was the subject of a public hearing held on April 12, 2010 and closed on April 12, 2010, notice of which was properly published in The Chronicle on March 24, 2010 and March 31, 2010. Notice of the public hearing was also sent to SRPEDD/ SEED; Municipal Zoning and Land Use; the Planning Board's of Fall River, New Bedford, Westport, Freetown, and Gosnold; and posted in the Town Office Building.

Article A proposes to amend the Waterfront Overlay District, Subsection 18.500, by making the parking requirements for Waterfront Overlay District uses the same as in the underlying newly adopted Village Business District.

When the Waterfront Overlay District was adopted, provision was made to reduce off-street parking that the underlying Limited Business District required. The recently adopted Village Business District, which replaced the Limited Business District, now allows even less off-street parking than the Waterfront Overlay District. This article would allow uses in the Waterfront Overlay District to benefit from the new Village Business District parking standards.

The Planning Board voted to recommend favorably on passage of Article A.

With respect to Articles B and D, Board members agreed it would be best to postpone voting on these zoning articles until a full Board could be present to vote.

At this time, Anthony Savastano, Town Counsel, entered the meeting room and informed the Board that the Select Board had just voted to approve an article for Annual Town Meeting concerning municipal use wind turbines. He said it is a simple bylaw and the Planning Board will need to hold its legally required public hearing.

It was mentioned that it appears the public hearing will be scheduled for May 10, 2010.

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(8) Planner's Report

- The Planning Director attended a meeting with Con Edison, Tom Davis, and Dave Cressman. The solar farm on the Aghai land is going forward.
- At the Department Head Meeting, it was mentioned the new Finance Director was Greg Barnes and the new Library Director was Jennifer Ingles.
- The Bristol County jail on Faunce Corner Road finally paid off a large outstanding Town water bill.

(9) For Your Information/New Business

- Board of Appeals decisions
- Planning Staff timesheets

(10) Election of Planning Board Officers and other appointments

This agenda item was postponed until a full Board could be present.

Long-Range Planning

(11) Discussion of proposed areas for Office Industrial District

The Planning Director noted that before moving forward with the proposed language for the Office Industrial District, the Board asked him to give suggestions on where the proposed district could be located. Mr. Perry said he prepared four maps for discussion each demonstrating different concepts.

Discussion ensued.

The map of preference incorporates most of the Faunce Corner Road frontage for office development, but still leaves large areas off Faunce Corner Road for standard Limited Industrial uses. Board members had a few suggested boundary line adjustments.

The Chairman felt it would be wise to have a more in depth discussion with all members present. Concluding, it was suggested Mr. Perry modify the map for future discussion.

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 26, 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. Haran, seconded by Mr. Toomey, and unanimously voted (3-0), to adjourn this evening's meeting at 8:05 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide