

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 7, 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. John P. Haran, Vice Chairman
Mr. Joseph E. Toomey, Jr., 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 7:02 p.m. with three Planning Board members and Planning staff present. Mr. Toomey arrived a few minutes late, and Mrs. Miller arrived shortly thereafter. Both members being interested in agenda items at this evening's Select Board meeting.

Administrative Items

(1) Approval of Minutes

Regular Meeting of May 24, 2010

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran for discussion, and unanimously voted (3-0) to approve the minutes of the regular Planning Board meeting of May 24, 2010 as written.

(2) Invoices

W.B. Mason	dated May 28, 2010	for \$264.11
re: miscellaneous office supplies		
Donald Perry	dated June 3, 2010	for \$75.50
re: reimbursement for recording at Registry of Deeds		
Southcoast Media Group	dated May 30, 2010	for \$92.00
re: legal advertising		

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran for discussion, and unanimously voted (3-0) to approve payment of the above listed invoices.

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 7, 2010

(3) Endorsement of Approval Not Required (ANR) Plans

Ronald Bogusky and Barbara Purdy Bakerville Road dated April 26, 2010

The Planning Director stated this ANR plan is for property located on Bakerville Road just south of Rock O' Dundee Road. It is a conveyance plan, which creates two 1,748 s.f. parcels which will be conveyed between two properties in order to allow a driveway encroachment to be corrected. He recommended plan endorsement.

A motion was made by Mr. Haran, duly seconded by Mr. Larrivee, and unanimously voted (3-0) to endorse the ANR plan prepared for Ronald Bogusky and Barbara Purdy for property located off Bakerville Road dated April 26, 2010.

Antonio and Maria Pereira Moss Street dated April 28, 2010

The Planning Directed mentioned this ANR plan is for property located on Moss Street, which is located off Wordell and Milton Streets. It creates two new buildable lots and one lot with an existing residence. All lots meet the frontage and area requirements of the General Residence District.

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted (3-0) to endorse the ANR plan prepared for Antonio and Maria Pereira for property located on Moss Street dated May 7, 2010.

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

Town of Dartmouth Dartmouth Street dated May 19, 2010

Mr. Perry noted this ANR plan creates the proposed Cushman Park parcel separate from the Cushman School and the Southworth Library. He mentioned although not required, the parcel meets the minimum frontage and area requirements of the General Residence District.

Brief discussion ensued.

A motion was made by Mr. Haran, duly seconded by Mr. Larrivee, and unanimously voted (4-0) to endorse the ANR plan for the Town of Dartmouth for property located on Dartmouth Street and dated May 19, 2010.

(4) Correspondence

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

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

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 7, 2010

(7) Update on Planning Board's F/Y'10 budget through April

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran for discussion, and unanimously voted (4-0) to acknowledge and file the Planning Board's budget update through April.

(8) Update on Project Timeline Chart

The Planning Director reported that Town Counsel said he will be putting review of the revised Section 16 at the top of his priority list.

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.

(9) Approval of Planning Board's meeting schedule thru September 2010

Discussion ensued on the proposed meeting schedule. The Planning Director stated that he would like to take a full week off in July and possibly another week in August. The Planning Aide also indicated she would like to take a week off in August.

Pros and cons were discussed on whether both staff members could take the same week or whether staff should alternate their vacation time. Neither staff members had specific vacation dates and could be flexible but thought the concept was worth discussing. Board members understood the staffing/coverage situation but opinions were split. Since Mrs. Miller was in attendance at the Select Board's meeting, and was expected to join the Planning Board meeting shortly, the Chairman postponed voting on this matter until all Board members were present.

Appointments

(5) 7:10 P.M. – APPOINTMENT – Brian Levesque: Discussion of proposed modifications to Toys-R-Us parking facility

present: Steven Gioiosa, SITEC, Inc.

The Planning Director briefed the Board on a request by Toys-R-Us to switch its existing entrances and exits, as well as, designate some "expectant mother parking" spaces. He noted that Joel Reed, the Director of Inspectional Services, has determined that the changes trigger Section 16.101 for a review by the Planning Board because pedestrian/vehicular patterns could be altered by the changes.

Steven Gioiosa, SITEC, Inc., representing Pegasus Landing Corporation and Toys-R-Us displayed a color-sketched design plan and described in detail the proposed modifications.

Mr. Gioiosa explained that Toys-R-Us is not looking to expand but would like to make internal upgrades and renovations and redesign the parking lot at the same time.

Mrs. Miller entered the Planning Board meeting at this time being 7:18 p.m.

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 7, 2010

The proposed revisions are identified below:

1. The customer entrance into Toys-R-Us is now the exit, and the entrance is now the exit. The new entrance focuses pedestrian activity and parking closer to the busy entrance drive.
2. The entrance drive raised islands have been changed to scored concrete which will eliminate a tire hazard.
3. A raised crosswalk has been provided which will also operate as a speed control device to slow traffic as cars approach the new entrance area.
4. Existing parking spaces have been designated "Expectant Mothers".
5. Handicapped parking signs have been replaced.

After considerable discussion, a motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted to approve the changes as requested with the following modifications:

1. Provide two handicapped parking spaces with a curb cut ramp at the southwest corner of the building.
2. Remove the speed table at the crosswalks.

(6) 7:30 P.M. – APPOINTMENT – Zoning Bylaw Reviewers: Discussion of draft Office Industrial Zoning Bylaw

present Richard Rheume, Prime Engineering, Inc.
Steven Gioiosa, SITEC, Inc.

The Planning Director noted that this appointment was scheduled for the purpose of discussing comments from the zoning bylaw reviewers on the draft Office Industrial zoning. He noted the draft zoning bylaw and map were sent out to the reviewers on May 4th and Planning staff also sent written notice to several landowners along Faunce Corner Road.

The merits of the written comments from Attorney Dan Perry, Bob Gilstein, and Rich Rheume were considered. Overall, the Board felt most comments should be incorporated into the bylaw. Considerable discussion involved whether to allow restaurants by right or as a Special Permit. It was eventually decided that a Special Permit offered the most protection for industrial uses. Lot coverage was also discussed extensively, finally agreeing that 60% coverage should be allowed with up to 75% maximum allowed if parking lots are set back from streets or for "green" roofs.

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 7, 2010

Administrative Items

(9) Approval of Planning Board's meeting schedule thru September 2010

With all Board members present, discussion continued on proposed dates for future Board meetings with respect to staff vacation time. It was determined that closing the Planning Office for an entire week would not be a good idea even though Board members understood it might be more efficient for staff. However, the Board did note closing the office for a day or two on occasion would be acceptable as long as it was posted.

The following schedule was agreed upon:

Monday, June 14, 2010	-	NONE
Monday, June 21, 2010	-	Regular Meeting/Long Range Planning
Monday, June 28, 2010	-	Regular Meeting/Long Range Planning
Monday, July 5, 2010	-	NONE – FOURTH OF JULY
Monday, July 12, 2010	-	NONE
Monday, July 19, 2010	-	NONE
Monday, July 26, 2010	-	Regular Meeting/Long Range Planning
Monday, August 2, 2010	-	NONE
Monday, August 9, 2010	-	Regular Meeting/Long Range Planning
Monday, August 16, 2010	-	NONE
Monday, August 23, 2010	-	Regular Meeting/Long Range Planning
Monday, August 30, 2010	-	NONE
Monday, September 6, 2010	-	NONE – LABOR DAY
Monday, September 13, 2010	-	Regular Meeting/Long Range Planning
Monday, September 20, 2010	-	NONE
Monday, September 27, 2010	-	Regular Meeting/Long Range Planning

At this time being 8:42 p.m., Mrs. Miller stated she needed to return to the Select Board's meeting to speak on a matter before them.

(10) Architectural approval for property located at 14 Winston Lane

The Planning Director explained that architectural review by the Planning Board was a condition of the Special Permit approval of the Wilcox Farm Cluster Subdivision. He said the property owner of 14 Winston Lane is seeking approval of a carport which is of a traditional architectural style.

Brief discussion ensued.

A motion was made by Mr. Haran, duly seconded by Mr. Toomey, and unanimously voted (4-0) to approve the architectural style of the proposed carport to an existing house at 14 Winston Lane and so notify the Director of Inspectional Services.

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 7, 2010

(11) Request from Peter Spindler for a time extension on a Special Permit for "Lot 15A" Definitive OSRD Subdivision Plan

The Planning Director referenced a request from Peter Spindler to approve a one year time extension on completing the requirements of the Special Permit for a one lot OSRD subdivision off Rock O'Dundee Road. Mr. Perry noted that Mr. Spindler is still working on effecting certain conditions of approval.

Brief discussion ensued.

A motion was made by Mr. Haran, duly seconded by Mr. Toomey, and unanimously voted (4-0) to extend the deadline for action on the Special Permit for "Lot 15A", Definitive OSRD Subdivision Plan from June 30, 2010 to June 30, 2011 as requested by Peter Spindler and so notify the Town Clerk and the Director of Inspectional Services.

(12) Planner's Report

- Liberty Travel may become a Mexican restaurant, but a revised parking plan would need to be filed with the Planning Board.
- Attended a meeting on the proposed Boatyard Restaurant in Padanaram at the former Packet. Observed that the Town needs to be more positive in welcoming such businesses.
- The Planning Director affirmed that all the zoning articles before Town Meeting passed.
- The Planning Director noted he met with Paul Vigeant, Assistant Chancellor for Economic Development at U-Mass, along with John Haran, and Deborah Wender regarding the possibility of a biotech incubator being located in Dartmouth.
- Mr. Perry advised the Board they need to notify the Select Board if they would like to be recognized as a "special employee".

Mr. Perry was instructed to notify Dave Cressman that all Board members wanted to have special employee status designation.

- The Planning Director mentioned Mike O'Reilly, Environmental Affairs Coordinator, has contacted Department Heads and is looking to have the Planning Board co-sponsor an article with the Conservation Commission to adopt M.G.L., Chapter 39, Section 23D. The Planning Board was interested and asked for more information before voting on it.

(13) For Your Information/New Business

- Board of Appeals decisions
- Planning Staff timesheets

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 7, 2010

Mr. Toomey informed Board members that the reason he was late this evening was because he had to go before the Select Board to inform them that Sam Jonsson, the Town's Veterans Agent, had tendered his resignation.

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 June 21, 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 (4-0), to adjourn this evening's meeting at 9:12 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide