

MINUTES OF REGULAR PLANNING BOARD MEETING OF JULY 26, 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 7:00 p.m. with four Planning Board members and Planning staff present. Mr. Haran, who had a matter before the Select Board, arrived a few minutes late.

Administrative Items

(1) Approval of Minutes

Regular Meeting of June 28, 2010

A motion was made by Mr. Toomey, duly seconded by Mr. Larrivee for discussion, and unanimously voted (4-0) to approve the minutes of the regular Planning Board meeting of June 28, 2010 as written.

Executive Session of June 28, 2010

A motion was made by Mr. Toomey, duly seconded by Mrs. Miller for discussion, and unanimously voted (4-0) to approve the minutes of the executive session of June 28, 2010 as written.

(2) Correspondence

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

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

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(4) Update on Project Timeline Chart

A motion was made by Mrs. Miller, seconded by Mr. Larrivee, and unanimously voted (4-0) to acknowledge and file the update on the Project Timeline Chart.

(5) Final update on Planning Board's F/Y'10 budget through June

The Planning Director stated that this is the final reporting of the F/Y'10 budget. It was pointed out that the Planning Board returned over \$3,000. back into the Town's general fund.

A motion was made by Mrs. Miller, seconded by Mr. Larrivee, and unanimously voted (4-0), to acknowledge and file the final update on the Planning Board F/Y'10 budget thru June.

(7) Planner's Report

- The Planning Director noted that Dave Cressman has approached him to offer clerical assistance to the Planning Office from the Board of Appeals clerk, Jane Kirby. Mr. Perry mentioned it appears Jane would relocate into the Planning Office. Brief discussion ensued. However, with several individuals present for another matter, the Chairman postponed discussion and moved to the next agenda item.

Mr. Haran arrived at this time being 7:10 p.m.

Appointment

(3) 7:10 P.M. – APPOINTMENT – Community Park Committee: Request for letter of support to Community Preservation Committee

present Timothy Lancaster, Superintendent of Parks
Jennifer Inglis, Library Director
Rachel Charrier, Library Trustee
Deborah Melino-Wender, Director of Development
Lara Stone, Select Board member

The Planning Director stated that when he reported to the Community Park Committee that the Planning Board had decided at its last meeting not to send a letter of support, the Committee asked to meet with the Board to address the issues of concern.

Representatives from the Park Department, Select Board, Libraries, School Department and Planning have been involved in the design and development of a playground facility with various amenities on Park-owned land off Dartmouth Street between the Southworth Library/Cushman School.

Tim Lancaster, Superintendent of Parks, gave an overview of the project and its funding. He noted that Phase 1 is currently underway and the Committee is seeking a grant to help fund Phase 2. The Committee is also seeking CPC money for the playground equipment.

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Various Committee members spoke of the benefits such a facility would provide emphasizing that this is a cooperative effort among several Town agencies to provide a much needed recreational facility that all Town residents can enjoy.

The restricted use of the playground during school hours was the principle area of concern voiced by Planning Board members. Board members felt strongly that since this is Park-owned land, the window of prohibited hours established by the School Department should be reduced to accommodate the general public.

After considerable discussion, each Board member expressed their final views.

A motion was made by Mrs. Miller, duly seconded by Mr. Toomey, and unanimously voted (5-0) to send a letter of support to the Community Preservation Committee for the Dartmouth Community Park. Planning Board support was on condition the playground is open to the public during the school day when Cushman School recess is not in session. The Planning Board felt closing the playground other than recess was too restrictive. If the Park Department can work with the School Department to develop reasonable time restrictions, the Planning Board would support CPC funding for this project.

From a planning perspective, the Planning Board supports this request for a number of reasons. First, the park is located close to the most densely populated area of Dartmouth and is within walking distance of a large population. Completion of the park fills a need for a playground in this area which was identified in the Town's Open Space Plan. With the addition of ample off street parking, access to the park will also be available to all Dartmouth residents with a short drive.

Second, the playground being constructed in the park will be readily available to youth at the Cushman School and Southworth Library. It is anticipated this park will be one of the busiest playgrounds in Dartmouth.

Finally, the Town needs to provide more active recreational opportunities for our youth. Specifically a playground fits the needs of young children who may not be involved in organized sports but can interact with other young children with parental supervision. This will build important physical and social skills at an early age.

For the above reasons, and including less restrictive hours, the Planning Board recommends the Community Preservation Committee fund this request.

Administrative Items

(6) Initial review of Off-Street Parking Plan for Walgreens, 495 State Road

present Matthew Smith, Bohler Engineering
John Stewart, Arista Development LLC
Chip Mulford, applicant's legal counsel

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The Planning Director provided a brief overview of a proposed Walgreen's Pharmacy to be located on State Road at Cross Road. He noted the Board of Appeals granted variance relief for the number of parking spaces and lot coverage. Mr. Perry also made mention that the plan meets most of the design recommendations previously discussed by the Planning Board, including the vehicular connection to the St. Anne's Plaza. However, he pointed out there are still a lot of details that need to be addressed for the facility to function effectively.

Planning Board member, Arthur Larrivee, announced at this time that he will be abstaining from participating in tonight's discussion since his company, Larrivee Real Estate Appraisers, did a property appraisal on this site.

Attorney Chip Mulford provided a detailed account on the evolution of this plan and pointed out the applicant has been pursuing building on this site for nearly 5 years.

Matthew Smith, Bohler Engineering, displayed a color sketched plan of the proposal and commenced to reference several of the items listed on the draft certificate of action prepared by the Planning Director.

A lengthy discussion ensued on landscaping requirements, signage, and parking lot design safety.

In concluding, the Planning Director identified for clarity each of the conditions and modifications agreed to during tonight's discussion.

A motion was made by Mrs. Miller, duly seconded by Mr. Toomey, and unanimously voted (4-0) with Mr. Larrivee abstaining to approve with modifications, the Off-Street Parking Plan for Walgreen's prepared for Arista Development LLC, c/o John Stewart, 520 Providence Highway, Norwood, MA 02062 to be located at 495 State Road, Dartmouth, MA. The Parking Plan was submitted to the Planning Office on June 14, 2010.

The Plans referred to in this action are listed below:

<u>Title</u>	<u>Sheet</u>	<u>Date</u>
Walgreen's, Cover Sheet	C1.0 of 17	4/05/10
Walgreen's, Site Plan	C1.1 of 17	4/05/10
Walgreen's, Land Title Survey	C1.2 of 17	4/28/08 rev. 6/18/08
Walgreen's, Drainage Plan	C2.1 of 17	4/05/10
Walgreen's, Grading Plan	C2.2 of 17	4/05/10
Walgreen's, Utility & Easement Plan	C3.1 of 17	4/05/10
Walgreen's, Construction Details	C4.1 of 17	4/05/10
Walgreen's, Construction Details	C4.2 of 17	4/05/10
Walgreen's, Construction Details	C4.3 of 17	4/05/10
Walgreen's, Construction Details	C4.4 of 17	4/05/10
Walgreen's, Notes, Legend Sheet	C5.1 of 17	4/05/10
Walgreen's, Demolition Plan	C6.1 of 17	4/05/10

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Walgreen's, Soil Erosion & Sediment Control Plan	C7.1 of 17	4/05/10
Walgreen's, Soil Erosion Notes/Details	C7.2 of 17	4/05/10
Walgreen's, Lighting Plan	C8.1 of 17	4/05/10
Walgreen's, Landscape Plan	L1.0 of 17	4/05/10
Walgreen's, Landscape Notes/Details	L1.1 of 17	4/05/10

Conditions of approval are listed below:

1. The 13 parking spaces at the rear of the building should be 90° parking with at least three signs posted "EMPLOYEE PARKING". A speed table shall be provided at the "DO NOT ENTER" area to the southeast of the building.
2. All required landscaped islands need to be 12 feet wide minimum. One island at the southeast entrance is not 12 feet wide.
3. A sidewalk connection from Walgreen's to the St. Anne's Plaza shall be provided from the front of the Walgreen's building to the St. Anne's Plaza.
4. A sidewalk needs to be provided at the southeast corner of the restaurant building to the rear parking spaces (with curb ramp).
5. The sidewalk at the southeast corner of the property from Cross Road needs to wrap into the property, and run along the south side of the southerly parking spaces with a crosswalk to the southeast corner of the restaurant and a connection to St. Anne's Plaza. If this is done, the crosswalk at the restaurant entrance is not needed. Additional lighting shall be provided along this sidewalk.
6. Painted crosswalks need to be provided at driveway openings.
7. At least 4 "NO PARKING" signs shall be provided along the drive-thru bypass, with at least 3 additional painted arrows.
8. Drive-thru signs are needed to direct customers to the drive-thru if customers enter from Cross Road.
9. The driveway connector to St. Anne's Plaza shall be shown as paved to the St. Anne's paved parking lot.
10. The Landscape Plan needs the following modifications:
 - A. Trees need to be provided along the frontage of State and Cross Road spaced no further than 30 feet apart. These trees should be 2.5" - 3" caliper minimum. It is recommended to use a combination of Zelkova serrata, Platanus acerifolia and Ulmus parvifolia. The total number of trees (33), types, and locations shall be approved by Planning Staff and would be further defined as in B, C, G, and H below.

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- B. Some of the required islands do not meet the minimum requirement of one tree and ten shrubs.
 - C. Evergreen trees need to be provided along the western buffer. It is recommended to use a combination of *Pinus strobus*, *Picea glauca* and *Juniperus virginiana*.
 - D. The *Taxus media Hicksii* need to be continued along the edge of the parking lot to the Cross Road driveway. They should also be set back from the parking lot at least 3 feet and spaced no further than 2 feet apart on center.
 - E. The island at the southeast corner of the building needs landscaping.
 - F. The large island planting to the northeast of the building needs to diversify the shrub planting by adding seasonal interest with *Hydrangea Nikko blue*, *Clethra alnifolia*, and *Viburnum carlseii*. Some plants shown for this area should be switched to the above types.
 - G. Flowering trees need to be specified in the western buffer and along the frontage buffer: *Magnolia stellata*, *Prunus yedoensis*.
 - H. Approximately 3 *Metasequoia glyptostroboides* need to be added to the south of the detention basin.
 - I. The applicant's engineer should meet with Planning Staff to discuss revisions A thru H above.
11. The existing water service to the meter pit is a 2" copper pipe that is reduced to a ¾" service to the building. An existing 8" fire line connects to the water gate that is shown on the plan at the edge of pavement on Cross Road, approximately 12 feet south of the existing 2" water service. The proposed fire line should connect into this 8" fire line and the existing 2" domestic water service should be disconnected at the main on Cross Road or utilized for one of the proposed services. The meter pit must be removed. The size of the domestic water service to the smaller unit should be shown on the plans.
 12. The existing sewer service must be cut and capped near the sewer main if it is not utilized.
 13. All sewer manholes shall include internal rubber seals between the precast cone section and the manhole metal frame as manufactured by Cretex Specialty Products for a watertight seal.
 14. The grease trap shall also be required to be watertight with the same manhole frames and covers, adjusting rings and internal rubber seals as sewer manholes.

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15. Water and sewer connection fees may be required depending on additional water services or sewer flows into the Town's system from the current tie-ins.
16. The developer will be responsible for filing an "Application for Inspectional Services" with the Department of Public Works and pay the required fees for our department to inspect the development. This should be noted on the plans.

Five sets of revised plans incorporating the above modifications shall be submitted to the Planning Office.

The Director of Inspectional Services shall not issue a building permit until a letter is received from the Planning staff stating that the plans have incorporated the above modifications; and a revised approved plan is forwarded with the letter.

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

(7) Planner's Report (cont.)

- Discussion resumed on the offer by Dave Cressman to have the Board of Appeals Clerk work in the Planning Office. It was explained that she would be permanently located in the Planning Office, continuing with her Board of Appeals duties, and helping to cover in the Planning Office as well. Board members questioned what the expectancy would be on both ends. Will Planning staff now be taking phone calls and walk-ins for Board of Appeals inquiries? In an extended absence, how would that work, would the Planning Office now be processing Board of Appeals applications? Who would be her supervisor? The Planning Director was asked to follow-up and report back.
- The Planning Director stated that the principals involved with converting the Village at Cedar Dell into a subdivision have requested to be on the Planning Board's next agenda. He reported that they did propose a reduction in the number of lots but not as many as the Planning Board had recommended.
- Spoke with Tom Davis on expedited permitting and he will have a draft application by the end of next week.

(8) For Your Information/New Business

- Notice from Westport Planning Board re: Lincoln Park development
- Planning Staff timesheets
- John Haran mentioned he is working on removing the \$100. fee charged by the Building Department for temporary tent permits. He also reported that there are nearly no more tickets to the annual Blowout event.

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- The Planning Director noted he received a letter from David Hickox requesting the Planning Board take action to activate the new traffic lights on Faunce Corner Road at Hawthorn Medical. Mr. Perry mentioned that while the Planning Board originally recommended the traffic lights be installed, he believes the Select Board have jurisdiction over improvements in public ways. However, just in case the Planning Board has that authority, he asked that the Planning Board vote this evening.

A motion was made by Mrs. Miller, duly seconded by Mr. Haran, and unanimously voted (5-0) to request that the new traffic lights on Faunce Corner Road at Hawthorn Medical be activated and so notify the Select Board.

- The Planning Director asked if the Board could cancel the meeting of August 23rd so he could take another vacation week. Board members had no problem with this request. Mr. Perry noted that if it becomes necessary, the Planning Board could meet on August 30th.
- John Haran reported on the Charter Review Committee meeting both he and Mrs. Miller attended. He identified several areas of discussion. He noted three original members of the Charter Committee, Joseph Hannon, Steve Melo, and David Faria, spoke at the meeting.

Long-Range Planning

(9) Final review of revised Office Industrial District bylaw

Due to the lateness of the evening, this agenda item was postponed until the next Board meeting.

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 August 9, 2010, in room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn.

A motion was made by Mr. Larrivee, seconded by Mr. Haran, and unanimously voted (5-0), to adjourn this evening's regular meeting at 10:15 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide