

MINUTES OF PLANNING BOARD PUBLIC HEARING OF NOVEMBER 15, 2010
Definitive OSRD Subdivision Plan entitled "Riverside Woods"
7:45 p.m., Room #315, Town Office Building, 400 Slocum Road

Planning Board Members

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 opened at 7:49 p.m. the public hearing¹ concerning a Definitive (OSRD) Subdivision Plan entitled "Riverside Woods" which proposes to create a 10-lot subdivision with 2 open space parcels from a 20 acre tract of land located on the east side of Chase Road just south of Old Westport Road. Access to the lots will be by a new 22-foot wide road. The plan was prepared by Boucher & Heureux, Inc. for Gary and Jo-Ann Bouchard, P.O. Box 878, Westport, MA 02790 for land owned by same and shown on Assessor's Map 50, Lot 5. The plan was submitted to the Planning Board office on October 14, 2010. The applicant is also requesting a Special Permit for an Open Space Residential Design, as provided for in Section 6 of the Zoning By-Laws, to allow waivers regarding lot frontage, lot area, upland area, lot shape, lot coverage, driveway setbacks, and building setback requirements for the proposed house lots.

All Planning Board members and Planning staff were present.

A motion was made by Mrs. Miller, seconded by Mr. Larrivee for discussion, and unanimously voted (5-0), to waive the reading of the legal notice, which appeared in The Chronicle on Wednesday, October 20, 2010, and again on Wednesday, October 27, 2010.

The Planning Director stated the application for the Definitive Subdivision Plan and the application for a Special Permit were officially time stamped in the Town Clerk's office on October 14, 2010, which begins the time line for action by the Planning Board on this proposal. Mr. Perry further noted that the legal notice was sent on October 18, 2010 to the parties in interest, the Planning Board's of Fall River, Westport, Freetown, Gosnold, and New Bedford; and posted in the Town Office Building.

The Planning Director then proceeded to read the following correspondence into the record:

¹ For more information, see minutes of the Planning Board's regular meeting of November 15, 2010

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- Three-page OSRD project overview submitted with the application dated October 5, 2010.
- Planning Staff's Review
- Letter from Department of Public Works dated October 26, 2010.
- Letter from Fire Chief Arruda dated October 28, 2010.
- Letter from Judith Lund, Dartmouth Historical commission dated November 3, 2010.

Mr. Sousa asked if the applicants or their representative wished to speak.

Alan Heureux, Boucher & Heureux, Inc., spoke on behalf of the applicants. He described the roadway layout, grade of the land, drainage flow, and the two open space parcels.

The following individuals were present and participated in the discussion of this proposal:

Neil Weiss, 1180 Tucker Road
Attorney John Bentley, representing Mr. & Mrs. Bouchard
Dexter Mead, Executive Director of DNRT
Amy Medeiros, 85 Chase Road

Neil Weiss, spokesperson for Tucker/Gidley Farm, said he is in favor of this proposal. Mr. Weiss stated it is a good use of the land and his family agrees. He questioned how the open space parcel will relate to other conservation restrictions which abut the property. He also referenced an old easement running to the Tucker/Gidley Farm which crosses through the property to Old Westport Road.

Lengthy discussion ensued. Various areas of discussion included the drainage system, public access to the two open space parcels, their size and location, providing public parking, the easement, the conservation restriction, boundary markers and signage.

Attorney John Bentley, Dexter Mead, and Alan Heureux each clarified and provided more explicit details on many of the subject matters.

Mr. Sousa asked if anyone would like to provide final comment.

Hearing none, the Chairman requested the Planning Director's recommendation.

Mr. Perry recommended the Planning Board close this evening's public hearing. However, he suggested that first he would like to go through the draft certificate and identify all the requirements and modifications identified as a result of this evening's public hearing. Mr. Perry proceeded to list item by item all the conditions.

Concluding, Mr. Sousa mentioned that the Planning Board will be making a decision this evening following the close of the public hearing.

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In a roll call vote, a motion was made by Mrs. Miller, seconded by Mr. Larrivee, and unanimously voted (5-0), to close the public hearing on the proposed Definitive (OSRD) Subdivision Plan entitled “Riverside Woods” and return to the regular meeting.

Lorri-Ann Miller – yes; John Haran – yes; Joseph Toomey, Jr. – yes, Arthur Larrivee – yes, John Sousa – yes.

Tonight’s public hearing was closed at 9:34 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide