



## MINUTES OF REGULAR PLANNING BOARD MEETING OF DECEMBER 6, 2010

### **(3) 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. Larrivee, and unanimously voted (4-0) to acknowledge and file the above referenced correspondence.

### **(4) Endorsement of Approval Not Required (ANR) Plans**

Ronald Bogusky & Barbara Purdy    Bakerville Road    November 11, 2010

The Planning Director pointed out that this ANR plan is for the purpose of exchanging parcels between two adjoining properties. He mentioned the exchange is complicated because one of the properties is part of the Purdy OSRD subdivision and the exchange affects the open space on the approved plan. Mr. Perry stated the applicant's engineer, Rich Rheume, is here this evening to explain more clearly and answer any questions.

Brief discussion ensued.

Mr. Toomey arrived at this time being 7:06 p.m.

A motion was made by Mrs. Miller, duly seconded by Mr. Haran, and unanimously voted (5-0) to endorse the Approval Not Required Plan of Ronald Bogusky & Barbara Purdy for property located off Bakerville Road and dated November 11, 2010.

### **(7) Update on Project Timeline Chart**

The Planning Director stated Town Counsel will be meeting with the Board this evening to discuss the updated Section 16 zoning.

### **(8) Update on Planning Board's F/Y'11 budget through October**

A motion was made by Mrs. Miller, duly seconded by Mr. Larrivee, and unanimously voted (5-0) to acknowledge and file the Planning Board's F/Y'11 budget update through October.

### **(9) Approval of Planning Board's meeting schedule thru March**

Brief discussion ensued on the proposed meeting schedule thru March.

A motion was made by Mrs. Miller, duly seconded by Mr. Larrivee for discussion, and unanimously voted (5-0) to approved the following Planning Board meeting schedule

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thru March:

Monday, December 13, 2010	-	NONE
Monday, December 20, 2010	-	Regular Meeting/Long Range Planning
Monday, December 27, 2010	-	NONE – Christmas Holiday
Monday, January 3, 2011	-	NONE – New Year’s Holiday
Monday, January 10, 2011	-	Regular Meeting/Long Range Planning
Monday, January 17, 2011	-	NONE – Martin Luther King Day
Monday, January 24, 2011	-	Regular Meeting/Long Range Planning
Monday, January 31, 2011	-	NONE
Monday, February 7, 2011	-	Regular Meeting/Long Range Planning
Monday, February 14, 2011	-	NONE
Monday, February 21, 2011	-	NONE – President’s Day
Monday, February 28, 2011	-	Regular Meeting/Long Range Planning
Monday, March 7, 2011	-	NONE
Monday, March 14, 2011	-	Regular Meeting/Long Range Planning
Monday, March 21, 2011	-	NONE
Monday, March 28, 2011	-	Regular Meeting/Long Range Planning

### **(10) Time extension request on deadline for action on Off-Street Parking Plan entitled “Proposed Retail Development” former TK O’Malley’s**

Mr. Perry informed the Board that the developer is asking for another two-month extension.

A motion was made by Mr. Haran, duly seconded by Mrs. Miller, and unanimously voted (5-0) to accept the time extension request on the Planning Board’s deadline for action on the Off-Street Parking Plan entitled “Proposed Retail Development, 227 State Road” from December 15, 2010 to February 15, 2011.

### **(11) Endorsement of Definitive Subdivision Plan entitled “Baker Farm” for Ronald T. Bogusky and Barbara Purdy”**

The Planning Director stated that the plans have been revised to meet all the conditions and modifications as required in its approval, the Town Clerk has certified no appeal, and the legal documents are in order. Mr. Perry recommended plan endorsement.

A motion was made by Mrs. Miller, duly seconded by Mr. Larrivee, and unanimously voted (5-0) to endorse the Definitive OSRD Subdivision Plan entitled “Baker Farm” dated September 15, 2009 revised to November 11, 2010.

### **(12) Planner’s Report**

- The Planning Director mentioned that the principals of the Cedar Dell project have filed for a variance with the Board of Appeals to approve 8 lots not 7 as the Planning Board had agreed to in concept at a previously held Planning Board

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meeting. He said Town Counsel will be very involved in the process of this application.

At this time, the Chairman mentioned the Board will continue the Planner's Report after the scheduled appointments.

### **Appointments**

#### **(5) 7:10 P.M. – APPOINTMENT – Cindy Marland: Discussion on possibility of filming Planning Board meetings**

The Chairman explained to Ms. Marland that the Planning Board would like to know if room #315, the Planning Board's meeting room, could be wired to provide public viewing. He explained that the Planning Board used to alternate with the Select Board in their meeting room, but over the years that Board has met more regularly and so the Planning Board meetings ended up being held in room #315 where the meeting is not filmed.

Lengthy discussion ensued with Cindy Marland, the Director of Media & Cable Television, on various scenarios of providing the general public the opportunity to watch Planning Board meetings.

Ms. Marland explained DCTV has invested a significant amount of money in upgrading the John Marland room and funding is limited. She acknowledged that it would most likely be at least a couple of years before DCTV could even consider upgrading the Planning Board's meeting room to bring in similar quality viewing.

Ultimately, it was suggested that the Chairman confer with David Cressman, the Executive Administrator, to see if it would be possible to alternate with the Select Board using the John Marland meeting room #304 with an approved meeting schedule that would be adhered to so that each Board was guaranteed two filmed Mondays each month.

#### **(6) 7:30 P.M. – APPOINTMENT - Anthony Savastano (Town Counsel): Discussion on proposed Section 16 zoning update**

Lengthy discussion ensued with Town Counsel on the status of his legal review of the revised Section 16 zoning and whether the Planning Board was still planning on moving forward with the article.

Attorney Savastano pointed out that he has almost completed his review of the bylaw.

The Chairman made it known that even though two Board members have indicated that they do not support this article, the majority have spoken and ideally it would be nice to have a unanimous Board but this does not seem to be the case.

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After considerable discussion, the Board decided it would revisit the bylaw and review it in its entirety. Town Counsel would also complete his review of Section 16 and forward his comments to the Planning Board.

### **Administrative Items**

#### **(12) Planner's Report (cont.)**

- The Planning Director informed the Board that a parking plan has been submitted for Stephen's Hair Salon on Champion Terrace and will be on the Board's agenda for December 20<sup>th</sup>. Town Counsel has indicated that he would like to be present at that meeting.
- Mr. Perry stated that another solar company is looking at the Aghai property.
- The Planning Director mentioned to John Haran, who is the Planning Board's representative reviewing Lincoln Park, that he should be aware a phasing plan for affordable units is needed before the next meeting can be held.
- In response to a request from Mrs. Miller, the Planning Director provided an overview of the management classes that Mr. Perry has been attending.

#### **(13) For Your Information/New Business**

- Board of Appeals decisions
- Anonymous letter re: Joe's Used Cycle
- Planning staff time sheets

Brief discussion ensued on the Charter Review Committee Meeting attended by two of the Board members.

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 December 20, 2010, in room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn.

A motion was made by Mrs. Miller, seconded by Mr. Haran, and unanimously voted (5-0), to adjourn this evening's regular meeting at 8:58 p.m.

Respectfully submitted,  
Mrs. Joyce J. Couture  
Planning Aide