

MINUTES OF PLANNING BOARD PUBLIC HEARING OF MARCH 14, 2011
Rescission of Open Space Covenant for 278 Slocum Road
7:15 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 7:21 p.m. the public hearing¹ concerning the petition of Mark and Marta Nunes, 278 Slocum Road, Dartmouth, MA who are requesting the rescission of an Open Space Covenant, applicable to 278 Slocum Road, which is dated April 12, 2000 and recorded in the Bristol County S.D., Registry of Deeds, Book 4668, Page 330.

All Planning Board members and Planning staff were present.

A motion was made by Mrs. Miller, seconded by Mr. Larrivee, and unanimously voted (5-0), to waive the reading of the legal notice, which appeared in The Chronicle on Wednesday, February 23, 2011, and again on Wednesday, March 2, 2011.

The Planning Director pointed out that since there is no one present except the proponents for this request, and the Planning Board has already had informal discussion on this matter, he requested the Board waive the reading of the letter from Attorney Walter Smith dated February 3, 2011.

Attorney Walter Smith, and Mr. and Mrs. Mark Nunes, were present for this hearing.

The Planning Director gave a brief history on the original intent of the Planning Board placing an Open Space Covenant on this parcel which was originally owned by the abutting assisted living facility. It was noted the property was used as a business office many years earlier prior to the lot being transferred to a private owner. Now that the property is used as a residence, the buffer is no longer needed.

Attorney Walter Smith spoke on the logistics of legally releasing this covenant. He noted the signoff needs to come from the Planning Board, as well as, the Select Board.

Brief discussion ensued.

¹ For more information, see minutes of the Planning Board's regular meeting of March 14, 2011

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The Chairman asked if Board members had any further comments.

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

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

A motion was made by Mrs. Miller, seconded by Mr. Larrivee, and unanimously voted (5-0), to close the public hearing on the proposed request to rescind the Open Space Covenant placed on 278 Slocum Road at 7:29 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide