

MINUTES OF REGULAR PLANNING BOARD MEETING OF JUNE 18, 2012
Planning Board's Meeting Room #315, Town Office Building
400 Slocum Road, Dartmouth, MA

Planning Board

Mr. Joel Avila, Chairman
Mr. Joseph E. Toomey, Jr., Vice Chairman
Mrs. Lorri-Ann Miller, Clerk
Mr. John V. Sousa
Mr. Stanley M. Mickelson

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. Toomey arrived a few minutes late at 7:02 p.m.

Administrative Items

(1) Approval of Minutes

Regular Meeting of June 4, 2012

A motion was made by Mrs. Miller, duly seconded by Mr. Sousa for discussion, and unanimously voted (4-0) to approve the minutes of the regular meeting of June 4, 2012 as written.

(2) Correspondence

Legal Notices from City of Fall River
Legal Notices from City of New Bedford
Legal Notices from Dartmouth Board of Appeals
Legal Notices from Dartmouth Conservation Commission

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

Letter from David Cressman, Executive Administrator dated June 12, 2012
re: Parking in Padanaram Village

The Board deferred discussion on the above referenced letter from David Cressman until later in the evening.

Mr. Toomey arrived at this time being 7:02 p.m.

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

Town of Dartmouth Russells Mills Road dated 02/01/11

The Planning Director stated this ANR plan creates the parcel to be added to the Paskamansett Park on Russells Mills Road which was discussed at the last Planning Board meeting. He noted the final step is to endorse the ANR plan subdividing the estate lot to create the parcel for the park expansion. Mr. Perry recommended the Planning Board endorse the plan.

A motion was made by Mr. Sousa, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to endorse the ANR plan for the Town of Dartmouth dated February 1, 2011 for property located off Russells Mills Road.

Robert & Frank Reynolds High Hill Road dated 08/11/11 rev. to 05/13/12

Mr. Perry noted this ANR plan creates five estate lots and one conventional lot on the east side of High Hill Road just south of Faunce Corner Road. He said all lots comply with the frontage and area requirements of the Zoning Bylaws and the plan can be endorsed.

A motion was made by Mr. Sousa, duly seconded by Mr. Toomey, and unanimously voted (5-0) to endorse the ANR plan for Robert & Frank Reynolds dated August 11, 2011 revised to May 13, 2012 for property located off High Hill Road.

Gidley Town Road Trust Gidley Town Road dated 05/30/12
David Medeiros, Trustee

The Planning Director stated this ANR plan creates three buildable lots and one non-buildable lot on the south side of Gidley Town Road just west of Fisher Road. He noted the three buildable lots comply with the frontage and area requirements of the Single Residence B zoning district. The non-buildable lot does not meet the minimum upland requirement so it is labeled non-buildable. He recommended that the plan can be endorsed.

A motion was made by Mr. Sousa, duly seconded by Mr. Toomey, and unanimously voted (5-0) to endorse the ANR plan for the Gidley Town Road Trust dated May 30, 2012 for property located off Gidley Town Road.

(4) Acknowledgement of Chapter 91 Waterways License Application for Michael & Jeralyn Fernandes, 47 East Avenue

A motion was made by Mr. Toomey, duly seconded by Mr. Sousa, and unanimously voted (5-0) to authorize the Planning Director to sign the application for a dock upgrade at 47 East Avenue and send the standard letter to the Department of Environmental Protection.

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(5) Initial review of Off-Street Parking Plan for Leonardo Botelho, Cross Road

Present: John Keegan, SITEC, Inc.

The Planning Director stated that this off-street parking plan is for a maintenance storage building and outdoor storage area for land located east of Cross Road and north of AC Moore. He noted the plan does need some modifications particularly with respect to the limits of the outdoor storage areas, which must meet building setback requirements.

Mr. John Keegan, representing the applicant, provided an overview of the proposal. He said the project has received Conservation Commission approval for runoff water retention on-site.

General discussion ensued with Mr. Keegan responding to several questions from Board members.

Concluding, the Planning Director identified all the modifications and conditions of approval.

A motion was made by Mr. Sousa, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to approve the Off-Street Parking Plan entitled the Off-Street Parking Plan entitled "Leonardo Botelho" prepared for Leonardo Botelho, 62 Shawmut Avenue, New Bedford, MA 02740 to be located off Cross Road. The plan was submitted to the Planning Office on May 11, 2012.

The Plans referred to in this action are listed below:

Title	Sheet	Date
Site Layout Plan, Leonardo Botelho	SL-1	February 2, 2012
Site Grading Plan, Leonardo Botelho	SG-1	February 2, 2012
Existing Conditions Plan, Leonardo Botelho	EC-1	February 2, 2012
Detail Sheet, Leonardo Botelho	DET-1	February 2, 2012

Conditions of approval are listed below:

1. The proposed gravel storage areas need to be setback 20 feet from the property lines.
2. A continuous screen of Leyland Cypress (3 feet tall when planted, spaced 5 feet apart on center) shall be planted around the edges of the gravel storage area and along the south property line.
3. A new 1 ½" water service for the proposed building must be extended from the Cross Road water main and a separate water meter must be installed. The water service must be at least 10 feet away from the proposed sewer service and meet

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all of the D.P.W. specifications. Water connection fees will be required for this building. The Department of Public Works can modify this condition if they notify the Planning Office in writing that it no longer applies or the Department of Public Works recommends a different requirement.

4. A new sewer service must be extended to the Cross Road sewer main. Sewer connection fees will be required for this commercial building. The Department of Public Works can modify this condition if they notify the Planning Office in writing that it no longer applies or the Department of Public Works recommends a different requirement.
5. A concrete sidewalk shall be built along the entire Cross Road frontage, particularly to the south of the existing sidewalk on the frontage.
6. The existing NSTAR access road in the powerline easement shall be accommodated through the proposed development area so that NSTAR access is not blocked.
7. No building permit shall be authorized until all requirements of the Department of Public Works are met regarding utilities for the existing uses. This condition shall also appear as a note on the plan.

Three sets of revised plans shall be submitted to the Planning Office.

The Director of Inspectional Services shall not issue a building permit until a letter is received from Planning Staff and an 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.

(6) Initial review of Off-Street Parking Plan entitled Greystone Plaza, Greystone Avenue and State Road

Present: Attorney John Williams, representing P & R Realty, LLC
Christopher Garcia, P.E., Garcia, Galuska & DeSousa, Inc.
Richard Gudoian, principal of BMW of Newport
Peter Capodilupo, principal of BMW of Newport

Attorney John Williams introduced the project engineer and principals, then proceeded to provide background information on this proposed off-street parking plan for a BMW service center at the corner of State Road and Greystone Avenue.

Mr. Christopher Garcia, P.E., the applicant's engineer, displayed a color sketched plan and proceeded to describe the design of the project, traffic flow, signage, and drainage issues.

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With a room full of interested parties, a lengthy discussion ensued. Many in the audience were given the opportunity to voice their concerns. The most expressed concern was that there was adequate screening of the proposed business from the existing residences. Board members had an array of questions and issues which were addressed by either the principles of the project and/or their attorney and engineer.

Concluding, the Planning Director identified all the modifications and conditions of approval.

A motion was made by Mr. Sousa, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to approve with modifications, the Off-Street Parking Plan for Greystone Plaza, prepared for P & R Realty, LLC, 1215 West Main Road, Middletown, RI 02842 for a parking facility to be located at the corner of State Road and Greystone Avenue. The Parking Plan was submitted to the Planning Office on May 30, 2012.

The Plans referred to in this action are listed below:

<u>Title</u>	<u>Drawing</u>	<u>Date</u>
Site Legend, Details & Notes, Off-Street Parking Plan for Greystone Plaza	C1.0	5/10/12 rev. to 5/30/12
Site Details, Off-Street Parking Plan for Greystone Plaza	C1.1	5/10/12 rev. to 5/30/12
Site Details, Off-Street Parking Plan for Greystone Plaza	C1.2	5/10/12 rev. to 5/30/12
Site Details, Off-Street Parking Plan for Greystone Plaza	C1.3	5/10/12 rev. to 5/30/12
Site Preparation & Demo Plan, Off-Street Parking Plan for Greystone Plaza	C2.0	5/10/12 rev. to 5/30/12
Site Layout Plan, Off-Street Parking Plan for Greystone Plaza	C3.0	5/10/12 rev. to 5/30/12
Site Utility Plan, Off-Street Parking Plan for Greystone Plaza	C4.0	5/10/12 rev. to 5/30/12
Site Grading Plan, Off-Street Parking Plan for Greystone Plaza	C5.0	5/10/12 rev. to 5/30/12
Site Planting & Signage Plan, Off-Street Parking Plan for Greystone Plaza	C6.0	5/10/12 rev. to 5/30/12

Conditions of approval are listed below:

1. The title sheet should incorporate the name of the proposed dealership or vehicle franchise on the plan.
2. The island at the State Road curb cut needs to be a raised concrete rumble strip island not curbed, with no signs in the rumble strip area. Signs on the sides indicating "Do Not Enter", "Exit", and "One Way" should be provided to direct traffic.

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3. Customer and employee spaces need to have a "C" and "E" painted on each parking spot with signs stating "Employee Parking", and "Customer Parking" on each side of a designed section of spaces.
4. A sign for the two pedestrian walk- thrus near the covered drive-thru stating "Watch for Vehicles" need to be added to the plan.
5. Handicapped accessibility ramps must be provided thru the sidewalk curbs particularly at the front of the building.
6. A yard hydrant must be provided meeting the requirements of Fire Chief District #3.
7. The Landscape Plan needs the following modifications:
 - a. The islands to the northwest and southwest of the building need a tree. It is suggested to use *Platanus acerifolia*.
 - b. The island to the west of and against the building needs some vertical plantings such as three *Chamaecyparis nootkatensis pendula*.
 - c. The Leyland Cypress screen needs to be continuous along the south and north property lines to screen the proposed development from abutting homes. The Leyland Cypress shall be planted 6 feet apart on center and 5 feet high minimum when planted.
8. Show on the plan a sign near the vehicle off-loading area stating "Auto Carrier Unloading Area". Also, add the following note to the plan: "There shall be no off-loading of vehicles in public ways."
9. A sidewalk also needs to be built along Greystone Avenue south of the driveway.
10. A building permit may not be issued until the Director of Finance confirms that all tax issues regarding this property are settled.

Three 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.

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(7) Amendment to Section 39.100B regarding Alternate Planning Board member

The Planning Director spoke on a proposed zoning amendment to Section 39.100B of the Dartmouth Zoning Bylaws which would clarify language related to time constraints on the appointment of an Alternate Planning Board member.

The Chairman provided suggested wording and a brief discussion ensued.

A motion was made by Mr. Mickelson, duly seconded by Mr. Toomey, and unanimously voted (5-0) to revise the language as recommended by the Chairman and forward the article to Town Counsel for his review and comment.

(8) Planner's Report

- Spring Annual Town Meeting

The Planning Director stated that all the zoning articles presented to Town Meeting were passed.

- Dartmouth Community Park

With the unveiling of a sculpture in the Dartmouth Community Park, the park project is complete.

- VF Food Vendor Special Permit

An application has been received and the Planning Board will be reviewing a Special Permit for the food vendor trailer at the VF Factory Outlet on Faunce Corner Road. It will be the first Special Permit application under the newly adopted Office Industrial District.

(9) For Your Information/New Business

- Board of Appeals decisions
- Planning Director's review for Board of Appeals
- Note of thanks from David Cressman dated June 5, 2012
- Note of thanks from Roseanne O'Connell dated June 5, 2012
- Policy on public sharing of Planning Board members email/telephone number information
- Subcommittee Reports
- Planning staff timesheets

At this time, the Planning Board referred back to the letter from David Cressman dated June 12, 2012 re: Parking in Padanaram Village which had been deferred from earlier in the meeting.

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Mr. Perry elaborated that Mr. Cressman's letter was in response to the Planning Director's reporting to the Planning Board on internal department discussions involving painting lines in Padanaram Village to define setbacks from intersections and driveways. At a previous Board meeting, the Planning Board asked that a letter be sent to David Cressman, the Executive Administrator, explaining that the Planning Board wants to be involved in making recommendations where parking restrictions might be proposed.

Board members emphasized that Mr. Perry needs to stay involved and keep them informed on this subject matter.

On another matter, Mrs. Miller reported that she spoke earlier in the day with Mr. Cressman asking that the Select Board send a letter to SRPEDD requesting that the intersections of Cross Road and U-Mass Drive be included in the senior engineering project at U-Mass Dartmouth being guided by Steven Gioiosa.

(10) Review of draft Solar Farm Bylaw

The Planning Director stated the Solar Farm Bylaw has been revised incorporating new language for a Special Permit for residential zones, adding the revised financial requirements developed for the Select Board's article, reducing the industrial zone setback, and specifically defining the buffer plantings.

Lengthy discussion ensued as the Planning Board reviewed the bylaw page by page offering comments. The most important revisions concerned the setback requirement for residential zones, creating a density standard for "forest land" and defining non-useable residential land as brownfields.

Concluding, Planning Staff would revise the bylaw accordingly and forward it to the customary zoning reviewers and the Solar Advisory Group for their comment.

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

Discussion ensued on the proposed meeting schedule. Staff expressed a desire to take vacation time during the summer months. It was advised that the Planning Director notify David Cressman, the Executive Administrator, requesting clerical assistance during that period.

The Planning Board agreed with the following meeting schedule:

Monday, June 18, 2012	Regular Meeting/Long Range Planning
Monday, June 25, 2012	NONE
Monday, July 2, 2012	NONE
Monday, July 9, 2012	Regular Meeting/Long Range Planning
Monday, July 16, 2012	NONE

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Monday, July 23, 2012	Regular Meeting/Long Range Planning
Monday, July 30, 2012	NONE
Monday, August 6, 2012	Regular Meeting/Long Range Planning
Monday, August 13, 2012	NONE
Monday, August 20, 2012	Regular Meeting/Long Range Planning
Monday, August 27, 2012	NONE
Monday, September 3, 2012	NONE (LABOR DAY)
Monday, September 10, 2012	Regular Meeting/Long Range Planning
Monday, September 17, 2012	NONE
Monday, September 24, 2012	Regular Meeting/Long Range Planning

With no further business, a motion was made by Mr. Sousa, duly seconded by Mr. Mickelson and unanimously voted (5-0) to adjourn this evening's regular meeting at 10:28 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide