

**MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 11, 2013**  
**Planning Board's Meeting Room #315, Town Office Building**  
**400 Slocum Road, Dartmouth, MA**

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DARTMOUTH TOWN CLERK

**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 all Planning Board members and Planning staff present.

**Administrative Items**

**(1) Approval of Minutes**

Regular Meeting of February 19, 2013  
Regular Meeting of February 25, 2013  
Public Hearing of February 25, 2013 "Request by NSTAR to remove trees"

A motion was made by Mr. Toomey, duly seconded by Mr. Sousa for discussion, and unanimously voted (5-0) to approve the above referenced minutes as written.

**(2) Correspondence**

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

A motion was made by Mr. Toomey, duly seconded by Mr. Mickelson for discussion, and unanimously voted to acknowledge and file the above referenced legal notices.

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

Peter & Nancy Spindler                      Rock O'Dundee Road    dated January 17, 2013

The Planning Director stated this ANR plan is for property located off Rock O'Dundee Road near Gaffney Road. He noted a similar plan was recently endorsed by the Planning Board

## MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 11, 2013

but not recorded because the applicant wanted to adjust a lot line. The plan creates a non-buildable conservation lot to be owned by DNRT and the remaining lot still meets the minimum area and frontage requirements of the Single Residence B zoning district.

Brief discussion ensued.

A motion was made by Mr. Sousa, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to endorse the ANR plan for Peter & Nancy Spindler for land located off Rock O'Dundee Road dated January 17, 2013.

Nicholas & Deborah Sullivan     Jordan Road                     dated February 13, 2013

The Planning Director stated that this ANR plan is for property at the southeast corner of Jordan and Barney's Joy Road. He mentioned it is a conveyance plan where parcels are being exchanged between two existing lots that already have homes on them. No new buildable lots are being created.

Brief discussion ensued.

A motion was made by Mr. Sousa, duly seconded by Mr. Toomey, and unanimously voted (5-0) to endorse the ANR plan for Nicholas & Deborah Sullivan for land located off Jordan Road and dated February 13, 2013.

#### **(4) Time Extension request on deadline to complete required improvements in the Definitive Subdivision entitled "Antonio Way Extension"**

The Planning Director reported that the developer is requesting another 1-year extension to complete improvements in the Antonio Way Extension Subdivision. There is a signoff from the current lot owner and the owner has indicated this will be the last extension.

Brief discussion ensued.

A motion was made by Mr. Sousa, duly seconded by Mr. Toomey, and unanimously voted (5-0) to approve the request to extend the deadline to complete required improvements in the Definitive Subdivision Plan entitled "Antonio Way Extension" from April 3, 2013 to April 3, 2014.

#### **(5) Review and approval of architecture and building location addition for 42 North Shore Drive, Round Hill**

The Planning Director stated that one of the conditions of approval for the Round Hill variance was that the Planning Board and Board of Appeals had to approve the architecture and location of new buildings or additions. He stated this request is for approval of an addition to the existing residence at 42 North Shore Drive. It was also noted that the Round Hill review board has given its approval on this application.

## MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 11, 2013

Joe Yates, Yates Construction and Restoration, Inc., who was present this evening for a similar request at Round Hill, stated Round Hill has an Architectural Design Review Board who evaluates and approves all architectural design changes to residences at Round Hill.

Brief discussion ensued.

A motion was made by Mr. Mickelson, duly seconded by Mr. Sousa, and unanimously voted (5-0) to approve the architectural style and location of the proposed addition to the residence at 42 North Shore Drive, Round Hill. The approved architectural style is shown on the plans entitled "Souza Residence, Ronald and Marjorie Souza, 42 North Shore Drive" dated June 14, 2012 and consisting of nine sheets.

### **(6) Review and approval of architecture and deck location for 18 North Shore Drive, Round Hill**

The Planning Director stated that this request is similar to the previously discussed application. The applicant is seeking Planning Board approval for a two story deck expansion.

Brief discussion ensued.

A motion was made by Mr. Sousa, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to approve the architectural style and location of the proposed deck expansion to the residence at 18 North Shore Drive, Round Hill. The approved architectural style is shown on the plans entitled "Alessandro Residence, 18 North Shore Drive" dated July 22, 2005 revised to January 13, 2013 and consisting of two sheets.

### **Appointment**

### **(7) 7:15 P.M. – APPOINTMENT – Steven Gioiosa, SITEC, Inc.: Street determination request for property located off Kraseman Street**

Present: Steven Gioiosa, SITEC, Inc.

The Planning Director stated this street determination request is for an extension of Kraseman Street from Gibson Terrace which is located off Sharp Street close to Slocum Road. Mr. Perry noted that Gibson Terrace approaching Kraseman Street is 18 feet wide and the three existing houses use Gibson Terrace for access and the proposed house would be the fourth.

Steven Gioiosa, representing DPM Development Corp., presented a comprehensive overview of the site, describing the lot sizes, existing conditions, and pavement widths.

Lengthy discussion ensued with particular scrutiny on trying to identify how many future houses could be built that would use Kraseman Street for access and the standard for road development to accommodate those future homes.

## MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 11, 2013

Concern was raised during discussion on the road improvement standard for Kraseman Street recommended by Deputy Chief Judson, Fire District #1, as it relates to the requirements of the Subdivision Regulations. Planning Staff was asked to send a letter to him regarding this recommendation which was less than the standard required by the approved Subdivision Regulations. The Planning Board wanted to inform Deputy Chief Judson that the current Subdivision Regulation road width specifications were the result of meetings and agreement among the three Fire Chiefs and the Planning Board. If the Fire Chiefs feel the required pavement widths can be reduced under certain circumstances, a meeting among the Fire Chiefs and the Planning Board should be convened to identify these circumstances and develop revised roadway standards.

A motion was made by Mr. Sousa, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to recommend the following street standard to provide frontage on Kraseman Street for Lots 214-216, Assessor's Map 143. The Planning Board recommends a widened pavement width of 26 feet for Gibson Terrace from Sharp Street south to Kraseman Street. Kraseman Street from Gibson Terrace east to and including the lot frontage will need to be improved to a 16-foot paved road with 1-foot gravel shoulders. The minimum required improved frontage for lots 214-216 should be 150 feet. The roadway pavements should be centered in the right-of-way.

The Dartmouth Department of Public Works must be consulted for paving standards and to approve utilities and drainage. This determination is valid until February 25, 2014.

### Administrative Items

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

- Ballot questions for April Town election
- Notice of public hearing for Town Meeting zoning articles
- E-mail from Russ Carey re: NSTAR tree removal

After brief discussion, a motion was made by Mr. Sousa, duly seconded by Mrs. Miller, and unanimously voted (5-0) to have Planning Staff maintain a Planning Board meeting schedule on the Planning Board's website to include public hearing dates and times.

- E-mail from Fire Chief Arruda re: New mulch fire regulation
- Notice of legislation to Help Clean Up Estuaries
- Planning Board letters to others
- Subcommittee Reports
- Planning Director's review for Board of Appeals
- Planning staff timesheets

Mrs. Miller spoke briefly on a comprehensive zoning reform bill being proposed by Representative Stephen Kulik and Senator Daniel Wolf, House Docket #3216. She said the proposal has 85 sponsors and could affect numerous Planning matters such as OSRD, Site Plan Review, Master Plans, and more.

**MINUTES OF REGULAR PLANNING BOARD MEETING OF MARCH 11, 2013**

**(9) Long Range Planning – Discussion of Dartmouth Street/Bliss Corner zoning**

The Planning Director noted that the Planning Board has determined that it wants to hold an information session with the property owners in the Dartmouth Street/Bliss Corner General Business District to seek their input on creating better zoning for this area. He noted he has prepared draft language for a letter that could be used in the mailing.

Discussion ensued. It was suggested that the letter include the reason why the Planning Board is reviewing zoning in this area and other minor edits were recommended.

A motion was made by Mrs. Miller, duly seconded by Mr. Toomey, and unanimously voted (5-0) to approve the draft letter as amended. Planning Staff was asked to check with the Select Board's office and schedule the public session on a Monday night in the Select Board's Meeting Room.

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 8:24 p.m.

Respectfully submitted,  
Joyce J. Couture  
Planning Aide

**APPROVED BY:**  
The Dartmouth Planning Board

