

MINUTES OF REGULAR PLANNING BOARD MEETING NOVEMBER 18, 2013
To be held at 7:00 p.m., 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
Ms. Jane Kirby, Planning Aide

The Chairman called the meeting to order at 7:00 p.m. with three Planning Board members and Planning staff present.

Absent

Mr. Joseph E. Toomey, Jr., Vice Chairman
Mrs. Lorri-Ann Miller, Clerk

Administrative Items

(1) Approval of Minutes

Regular Meeting of November 4, 2013

A motion was made by Stanley Mickelson, duly seconded by John Sousa for discussion, and voted (3-yes; 2 absent) to approve the minutes of the regular meeting of November 4, 2013.

(2) Correspondence

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

A motion was made by John Sousa, duly seconded by Stanley Mickelson for discussion, and voted (3-yes; 2 absent) to acknowledge and file the above referenced correspondence.

(3) Request for Endorsement of ANR Plan

Applicant: Seymour - Meadow Shores Road
(Map 90 as Lots 11 & 12)

Donald Perry, Planning Director, explained that the ANR plan will take an existing non-conforming lot and divide it in half, with one part being attached to an abutting lot

RECEIVED
2013 DEC - 3 P 3:13
DARTMOUTH TOWN CLERK

and the other part remaining as a non-buildable lot. He further stated that the lot one half is being added to already has a dwelling on it and will make the lot bigger.

A motion was made by John Sousa, duly seconded by Stanley Mickelson, and voted (3-yes; 2 absent) to endorse the ANR Plan for Meadow Shores Road.

(4) Riverside Woods – Subdivision Release of Surety

Mr. Perry stated that the Planning Department received a letter from the DPW, which included a list of work still needing to be completed. Mr. Perry suggested that the Planning Board could vote to release \$64,342 of the Performance Guarantee held by the Town, leaving a balance of \$10,361 which the DPW has estimated would cover the remaining work.

A motion was made by John Sousa, duly seconded by Stanley Mickelson, and voted (3-yes; 2 absent) to release \$64,342 of the Performance Guarantee.

(5) Use Variance Discussion

Mr. Perry explained that after the joint meeting with the Select Board, it was left that the Select Board was looking for guidance and a recommendation from the Planning Board regarding prohibiting Use Variances in Dartmouth. The Planning Board indicated that a Town wide Use Variance at this time would probably not be practical due to imperfections in the current zoning bylaws. Mr. Perry felt that prohibiting Use Variances by zoning districts that were relatively up-to-date and to protect residential areas seemed plausible.

The Board discussed this topic at length and agreed to send a letter to the Select Board supporting a prohibition on Use Variances for the following districts:

- Single Residence A
- Single Residence B
- Single Residence C

The Board decided that the other zoning districts could be reevaluated after more information is received through the public hearing process if the Select Board agreed that Use Variances should be prohibited from the above-referenced districts.

(6) For Your Information/New Business

- Planner's Report

Padanaram Visioning Session

The Planning Director attended the Cecil Group's public meeting of November 13, 2013 for the Padanaram Village Historic District Streetscape Design Charrette. Planning Board members John Sousa and Stanley Mickelson also attended.

Mr. Perry stated that there was a great turnout and the meeting was well-run. He explained that the crowd was broken up into groups and ultimately wish lists for each group were created and prioritized.

Some of the wish list items were:

- Streetscape improvements
- Better signage
- Sidewalk improvements
- Better parking
- A Village Market
- Broader and better sidewalks along the bridge

The Cecil Group will generate a report.

GIS Needs Assessment Study

Mr. Perry stated that the study will identify the Town's needs and goals to provide a roadmap for the Town and GIS Coordinator. It will not be a full implementation plan but provide a broader framework. The general cost estimates for implementation will be provided in the report.

- Subcommittee Reports

Stanley Mickelson thought there was an Open Space meeting on Wednesday, November 20, 2013 at 6:00 p.m.

- Board of Appeals decisions
- Planning Board letters to others
- Planning staff timesheets

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

A revised draft bylaw was submitted at this meeting, which incorporated the changes made at the meeting of October 21, 2013. Mr. Perry revised “Lot Area” to address the issue of multiple residential uses on a lot by incorporating some residential density standards. Mr. Perry made the Board aware of the potential implications of creating small lot subdivisions in the proposed Mixed Use Districts.

The Board questioned how many lots in the draft Mixed Use District have 5,000 square feet or less in area, and their current uses. Mr. Perry will do a detailed analysis for the Board.

The Board discussed the proposed restaurant parking requirement standards at length. Chairman Avila thought that requiring 7 spaces for a 50 seat restaurant; and 0 spaces for a restaurant with 49 seats was illogical. He suggested the parking standards be

more proportional. The Board noted the draft bylaw eliminated the need for parking for restaurant outdoor seating.

The Board determined that further study in terms of the parking standards for this district is required and expressed concern with the potential detrimental impact to the neighborhood.

As a result of the discussions, the Board directed Mr. Perry to provide an analysis of some of the existing restaurants in the draft Mixed Use District. The Board would like to know lot size, gross floor area of structures, and the number of seats for Fays, Papa Ginos, Ying Dynasty, Naughty Dogs, Friendly's, McDonalds, Cape Quality, etc. The Board also requested that Mr. Perry provide the same information for the Sail Loft restaurant in Padanaram as part of this analysis.

The Board discussed signs in great detail, noting that the SRPEDD study may impact the final draft bylaw language.

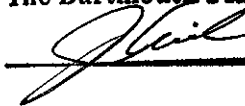
Mr. Perry explained that the architectural appearance language is the same as the language for the Padanaram Village Business District except that the area of new buildings subject to review would be increased from 500 square feet to 1,500 square feet to minimize the impact of review on small businesses.

The Board felt that the requested research on building sizes in the district could assist in deciding how many square feet of building exemption should be allowed.

The Chairman asked if there was any other business this evening. There was none. Chairman Avila noted that the next Planning Board meeting is scheduled for December 2, 2013, in room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn.

A motion was made by John Sousa, seconded by Stanley Mickelson, and voted (3-yes, 2-absent), to adjourn this evening's regular meeting at 8:30 p.m.

APPROVED BY:
The Dartmouth Planning Board



Respectfully submitted,
Jane Kirby, Planning Aide