

TOWN OF DARTMOUTH PLANNING BOARD



PUBLIC HEARING MINUTES

Entitled: 191 Hixville Road –Stonewall/Tree Removal Request

Date: October 7, 2019
Planning Board's Meeting Room #315
Town Office Building, 400 Slocum Road, Dartmouth, MA

REC'D
2019 OCT 31 PM 11 15
DARTMOUTH TOWN OFFICE

Present

Lorri-Ann Miller, Chairman
Kevin Melo, Vice Chairman
Stephen Taylor, Clerk
John Sousa
Margaret Sweet

Christine O'Grady, AICP, Planning Director

Chairman Miller opened this public hearing¹ at 7:00 p.m. concerning a request by Timothy Bradford to remove 40+/- feet of stonewall and 4 trees from property located on Hixville Road, which is a designated scenic road. The subject property is located at 191 Hixville Road, Dartmouth, MA and identified on Assessor's Map 183 as Lot 70.

Application and plans submitted to Planning Board office on September 4, 2019

Also on file: Memorandum from Alison Cesar to the Planning Board dated 8/21/19
Colored photographs showing trees/stonewall

Legal advertisement published in Dartmouth Week on Thursday, September 12, 2019 and again on September 19, 2019.

No correspondence received.

John Sousa motioned to waive reading the legal notice into the record. The motion was seconded by Stephen Taylor and unanimously voted.

Also present: Steven Gioiosa, P.E., Sitec Engineering – Representing the Applicant

Steve Gioiosa, P.E.

Mr. Gioiosa explained that the Planning Board approved the Lyla Belle subdivision, which is a 2-lot subdivision on Hixville Road. The driveway entrance road (Buster Way) created legal frontage for the lots. The request is to remove a section of stonewall and some trees to accommodate the construction of the entrance road. Mr. Gioiosa stated that the removed stones will be repurposed to create a defined entrance into the property.

Chairman Miller asked for public comment. None received.

¹ For Board action, see Planning Board's regular meeting minutes of October 7, 2019

TOWN OF DARTMOUTH PLANNING BOARD



PUBLIC HEARING MINUTES

Entitled: 191 Hixville Road –Stonewall/Tree Removal Request

Date: October 7, 2019

Planning Board's Meeting Room #315

Town Office Building, 400 Slocum Road, Dartmouth, MA

Chairman Miller asked for Board questions or comments. A Board member wondered why this scenic road request wasn't part of the public hearing for the subdivision approval. Mr. Gioiosa answered by saying that he wasn't sure what would come out of the subdivision approval process, which is why he didn't file simultaneously.

A Board member stated that he would prefer to have the rebuilt stonewall along the right of way line rather than where it is shown on the plan. Mr. Gioiosa stated that he can place the wall along the right of way line, that wouldn't be a problem. Board members agreed and thought it should be a condition of approval.

Chairman Miller asked for final questions or comments. None received.

John Sousa motioned to close the public hearing and resume the Board's regular meeting. The motion was seconded by Kevin Melo and unanimously voted.

See the regular minutes of 10/7/19 for Board action.

Respectfully submitted,
Jane Kirby, Planning Aide

APPROVED BY:

The Dartmouth Planning Board

Handwritten signature of Kevin A. Miller over a horizontal line.

Date of Approval: October 21, 2019

TOWN OF DARTMOUTH PLANNING BOARD



MEETING MINUTES

Date: October 7, 2019 – 7:00 p.m.
Planning Board's Meeting Room #315
Town Office Building, 400 Slocum Road, Dartmouth, MA

REC'D
2019 OCT 31 09:11:15
DARTMOUTH PLANNING BOARD

Present

Lorri-Ann Miller, Chairwoman
Kevin Melo, Vice Chairman
Stephen Taylor, Clerk
John Sousa
Margaret Sweet

Christine O'Grady, AICP, Planning Director

Chairman Miller opened the public hearing at 7:00 p.m.

Public Hearing

- (1) 7:00 p.m. **Scenic Road – Request to Remove Stonewall/Trees**
191 Hixville Road Map 183 / Lot 70 Timothy Bradford

Chairman Miller called for a motion to open the public hearing¹ concerning a request by Timothy Bradford to remove 40+/- feet of stonewall and 4 trees from property located on Hixville Road, which is a designated scenic road. The subject property is located at 191 Hixville Road, Dartmouth, MA and identified on Assessor's Map 183 as Lot 70.

John Sousa motioned to recess the Board's regular meeting and open the above-referenced public hearing. The motion was seconded and unanimously voted.

Action: Stonewall/Tree Removal Request

The Board approved the request with the condition that the stonewall be rebuilt along the right of way line.

Administrative Items

- (2) **Site Plan Review – 21 Ventura Drive**
Interior renovations consisting of a 3,778 s.f. dance studio; 6,250 s.f. updated office space; maintaining 3,845 s.f. as warehouse space

Also Present: Christian Farland, P.E. – Farland Corp.

Mr. Farland stated that he previously applied for Site Plan Review and got the plan

¹ For more information, see public hearing minutes for
"Stonewall/Tree Removal – Hixville Road"

TOWN OF DARTMOUTH PLANNING BOARD



MEETING MINUTES

Date: October 7, 2019 – 7:00 p.m.
Planning Board's Meeting Room #315
Town Office Building, 400 Slocum Road, Dartmouth, MA

as close to compliance with the bylaw as possible. He applied for and received ZBA variances for the remaining standards. He noted that this plan has not changed much since the Planning Board's original review.

A Board member questioned the warehouse use, expressing concern with large trucks in the small lot where the dance studio will also be located. Mr. Farland stated that he does not have any tenants yet, but he is hoping to move his engineering firm into the building.

A Board member stated that he would like to see the addition of painted crosswalks and a concrete sidewalk along the frontage. Board member agreed with these conditions of approval. Mr. Farland believed that the bylaw standard allows for bituminous concrete. The Planning Director will verify the standard, which will be the plan requirement.

Stephen Taylor motioned to approve the Site Plan with conditions. The motion was seconded and unanimously voted.

(3) Environmental Notification Form

Proposed Wells and Pumping Facilities at Violetta Site, Old Westport Road

The Planning Director forwarded this notification to Board members for review and comment. No comments received.

John Sousa motioned to acknowledge and file the notification. The motion was seconded and unanimously voted.

(4) Westview Estates – Performance Covenant

21-lot subdivision located off of Tucker Road

The Planning Director stated that the DPW submitted its surety estimate. As a result, the developer may not wish to go forward with the Tri-Party Agreement as originally discussed.

(5) Minutes

Regular Meeting of September 23, 2019

John Sousa motioned to approve the above-referenced minutes. The motion was seconded and unanimously voted.

TOWN OF DARTMOUTH PLANNING BOARD



MEETING MINUTES

Date: October 7, 2019 – 7:00 p.m.
Planning Board's Meeting Room #315
Town Office Building, 400 Slocum Road, Dartmouth, MA

(6) Correspondence

Legal Notices from Dartmouth Board of Appeals
Legal Notices from City of New Bedford
Legal Notices from City of Fall River
Legal Notices from Town of Freetown

Kevin Melo motioned to acknowledge and file the above-referenced correspondence. The motion was seconded and unanimously voted.

(7) For Your Information/New Business

• Planner's Report

Electronic Packets

The Planning Director asked for the Board's preference regarding the informational packets received prior to the meeting. She asked if the Board would like to switch to electronic packets. Some members preferred paper packets. The paper packets will continue to be delivered to the Police Station for pick up.

• New Business

Concern with Development

Stephen Taylor submitted photos showing high piles for new construction over a salt marsh. He expressed concern with the current bylaws that would allow this type of construction. He stressed that the Board should focus on long range planning to amend the bylaws so this would not be allowed.

Extra Meeting Date

The Board determined it would like to meet before the Fall Town Meeting. The Town Administrator informed the Chairman that the Select Board is considering an additional amendment to the Citizen's Petition zoning article seeking to allow cultivation and manufacturing of marijuana in the General Business District. The Planning Board would like to review the Select Board's proposed floor amendment and offer its opinion or recommendation for Town Meeting. The Planning Director will schedule a date and time for this meeting.

TOWN OF DARTMOUTH PLANNING BOARD



MEETING MINUTES

**Date: October 7, 2019 – 7:00 p.m.
Planning Board's Meeting Room #315
Town Office Building, 400 Slocum Road, Dartmouth, MA**

With no further business to discuss, Chairman Miller called for a motion to adjourn.

The next Planning Board meeting is scheduled for October 21, 2019 in Room #315, Town Office Building, 400 Slocum Road.

Respectfully submitted,
Jane Kirby, Planning Aide

APPROVED BY:
The Dartmouth Planning Board

Rosie Ann Miller

Date of Approval: October 21, 2019