

TOWN OF DARTMOUTH PLANNING BOARD



REGULAR MEETING MINUTES
April 27, 2020
Teleconference

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DARTMOUTH TOWN CLERK

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 the Board's regular meeting at 7:00 p.m.

Continued Public Hearings

- (1) **Definitive (OSRD) Subdivision Plan entitled "Windsong Acres"**
Proposed 5-lot subdivision located off of Jason Drive
(Map 125 / Lots 19, 19-1 thru 19-7)

The applicant requested that this public hearing be continued to 5/11/2020.

Stephen Taylor motioned to approve the continuance request. The motion was seconded by Kevin Melo and unanimously voted. (roll-call vote)

Administrative Items

- (2) **Amendment to Approved Site Plan Application**
Paskamansett Office Park, Faunce Corner Road, Lot 4 (Map 68 Lots 33 & 34)

Margaret Sweet recused herself.

Also Present: Mark Bobrowski, Esq., Representing Applicant
Zachary Gless, Existing Grade Inc.

Attorney Bobrowski explained that there is a minor change to the Lot 2 and Lot 4 storm water flow.

Mr. Gless reviewed the changes in detail. The amended plans are dated 4/2/20.

The Planning Director recommended that the Board approve the amendment, with the condition to allow time for proper DPW review.

John Sousa motioned to conditionally approve the amendment, based on a positive DPW review. The motion was seconded by Kevin Melo and voted: John Sousa-yes;

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Stephen Taylor-yes; Lorri-Ann Miller-yes; Kevin Melo-yes; Margaret Sweet-abstain.

(3) Endorsement of Approval Not Required (ANR) Plan
Lucy Little Road (Map 42 Lots 27)

The Planning Director stated that there are no issues with the plan, which shows 3 lots. She noted there is a 50 foot access easement shown on the plan. She stated that the plan is eligible for endorsement.

Margaret Sweet motioned to endorse the above-referenced ANR plan. The motion was seconded by Kevin Melo and unanimously voted (roll-call vote).

(4) Request for Surety Reduction – Faunce Corner Executive Center
500 Faunce Corner Road

Also Present: Evan Watson, Prime Engineering

Mr. Watson requested that this topic be delayed to the end of this meeting to allow time for Richard Rheame, P.E. to attend.

(5) MEPA Filing for the Tidal Restoration of Georges Pond and Native Habitat Restoration

The Planning Director explained this MEPA filing for the board, which deals with Demorast Llyod State Park. She noted that Michael O'Reilly, Director of Environmental Affairs, indicated that there is the potential for species impact.

John Sousa motioned to acknowledge and file. The motion was seconded by Stephen Taylor and unanimously voted (roll-call).

(6) Correspondence
Letter from Town Counsel dated March 27, 2020
Re: Granting of Procedural Variances

Environmental Notification Form
Solar Energy System 0 Hixville Road (Map 56 Lot 17)

Notice of Public Hearing from City of New Bedford
Notice of ZBA meeting cancellation – City of Fall River

Stephen Taylor motioned to acknowledge and file the above-referenced correspondence. The motion was seconded by Kevin Melo for discussion.

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Discussion occurred regarding Town Counsel's letter. The letter basically states that the ZBA cannot grant a variance from the Site Plan Review process, but only variances from specific design standards of the Site Plan Review bylaw. A board member questioned whether or not the letter was distributed to the Select Board since the Select Board is the appointing authority for members of the Zoning Board of Appeals. He noted that the ZBA has received multiple letters on this topic and wanted to know why it is still occurring. The Planning Director will communicate with the Town Administrator. The board felt that it is important for the Select Board to know as the ZBA appointing authority, and will forward the letter to the Select Board only if the Town Administrator chooses not to.

The motion was modified to place Town Counsel's correspondence on the next agenda.

Stephen Taylor's amended motion is to acknowledge and file the legal notices from City of New Bedford and City of Fall River, but to place Town's Counsel's correspondence on the next Planning Board agenda. The motion was seconded by Kevin Melo and unanimously voted (roll-call vote).

**(4) Request for Surety Reduction – Faunce Corner Executive Center
500 Faunce Corner Road**

Also Present: Richard Rheume, P.E., Prime Engineering

Mr. Rheume stated that many of the subdivision improvements have been completed for the Faunce Corner Executive Center subdivision, and he his client is now seeking to have the financial surety held by the Town reduced. He explained that the developer has posted more than enough money to cover the cost of the original surety estimate, and noted that 83% of the work has been completed to date. He noted that his client has been waiting over six weeks to get an updated surety estimate for the remaining work from the DPW.

A board member expressed concern with the amount of time it is taking to obtain a surety estimate. A board member suggested that the DPW be contacted to determine if there was a way to speed up the process and also address any additional issues between the DPW and the Planning Board. Chairman Miller stated that she will schedule a joint meeting with the DPW. A board member requested that the Planning Director obtain a list of issues or concerns that the DPW and the Planning Board have identified prior to the meeting so that everyone will be prepared for the discussion.

Chairman Miller redirected the conversation back to the surety reduction request.

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The Planning Director stated that the DPW forwarded its estimate at 4:00 p.m. and she has not had time to review it. A board member suggested that the surety reduction be allowed, conditioned upon the Planning Director confirming the DPW's surety estimate and checking with the Town Treasurer. He did not want to hold up the decision until the next meeting.

John Sousa motioned to authorize the Planning Director to confirm the DPW's surety estimate and to allow the reduction of surety. The motion was seconded by Stephen Taylor and unanimously voted (roll-call vote).

(7) Minutes

Regular meeting of March 9, 2020

Public Hearing of March 9, 2020 – Eversource Scenic Road Tree Pruning

Regular meeting of March 23, 2020

Amendments were made to the March 9th regular meeting minutes.

John Sousa motioned to approve the March 9th regular meeting minutes as amended. The motion was seconded by Stephen Taylor and unanimously voted (roll-call vote).

Amendments were made to the March 9th public hearing minutes.

Margaret Sweet motioned to approve the March 9th public hearing minutes. The motion was seconded by Stephen Taylor and unanimously voted (roll-call vote).

Amendments were made to the March 23, 2020 regular meeting minutes.

Stephen Taylor motioned to approve the March 23rd regular meeting minutes. The motion was seconded by John Sousa and unanimously voted (roll-call vote).

(8) Invoice

Dartmouth Week – Legal Ads (Zoning Articles)	\$508.00
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Stephen Taylor motioned to approve the above-referenced invoice. The motion was seconded by Kevin Melo and unanimously voted. (roll-call vote).

(9) For Your Information/New Business

Chairman's Report

Chairman Miller stated that the Planning Director found a file cabinet drawer open and expressed concern. It was noted that Town Hall is closed to the public, but only open to employees. The Board determined that the solution would be to

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change the door lock.

Margaret Sweet voted to authorize the Planning Director to change the door lock. The motion was seconded by Stephen Taylor and unanimously voted (roll-call vote).

Chairman Miller stated that the Planning Director was uncomfortable with delivering the packet to the Police Station due to the coronavirus. She stated that the packet will now be delivered to the Town Clerk's office and board members should call that office prior to coming in. A board member requested the Town Clerk's phone number and hours of operation.

Chairman Miller announced that there is a temporary polling location change for Precinct 9 voters. The Town Election will be held at the High School on June 23rd.

Planner's Report

The Planning Director stated that the Technical Review meeting will be held on Wednesday. She also noted that the date for Town Meeting may change, but that no new date has been decided at this time.

A board member questioned when the next long range planning meeting will be. The Planning Director did not have an answer.

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

Margaret Sweet motioned to adjourn. The motion was seconded by Stephen Taylor and unanimously voted (roll-call vote).

The next Planning Board meeting is scheduled for May 11, 2020 via Teleconference.

Respectfully submitted,
Jane Kirby, Planning Aide

APPROVED BY:
The Dartmouth Planning Board

Date of Approval: June 1, 2020

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