



Planning Board

June 14, 2017 – 6:00 PM – **Minutes**
New Bedford Public Library – 3rd Floor
613 Pleasant Street

PRESENT: Colleen Dawicki, *Chairperson*
Kathryn Duff, *Vice Chair*
Arthur Glassman
Peter Cruz
Alex Kalife

ABSENT: None

STAFF: Constance Brawdors

CALL TO ORDER

Chairperson Dawicki called the meeting to order at 6:10 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as listed above.

MINUTES REVIEW AND APPROVAL

A motion was made (KD) and seconded (AG) to approve the May 2017 meeting minutes.
Motion passed unopposed.

At Chairperson Dawicki's request, the agenda was taken out of order.

PUBLIC HEARINGS

ITEM 1 - Case 17-17: Sidewalk Café Permit Renewal for use by Brick Pizzeria located at 163 Union Street (Map 53, Lot 134) in the Mixed Use Business (MUB) zoning district, Downtown Business Overlay District (DBOD), and Central Business District. Applicant: Daniels Goggin, dba Brick Pizzeria, 163 Union Street, New Bedford, MA 02740.

Daniel Goggin stated that everything would be the same regarding this renewal. He stated the customers enjoy the atmosphere in Wings Court and the downtown area growth.

A motion was made (KD) and seconded (AG) to open the public hearing.
Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor or opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.
Motion passed unopposed.

There being no board discussion, a motion was made (KD) and seconded (AG) to approve the application for

sidewalk café permit renewal for use by Brick Pizzeria located at 163 Union Street (Map 53, Lot 134) in the Mixed Use Business (MUB) zoning district, Downtown Business Overlay District (DBOD), and Central Business District.

Motion passed unopposed.

ITEM 2- Case 18-17: Sidewalk Café Permit Renewal for use by Café Europa located at 1256 Acushnet Avenue (Map 93, Lot 11) in the Mixed Use Business zoning district. Applicant: Peter Ferreira, 1256 Acushnet Avenue, New Bedford, MA 02746.

The applicant declined to address the board.

There being no board questions, a motion was made (KD) and seconded (AG) to open the public hearing.
Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor or opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.
Motion passed unopposed.

There being no board discussion, a motion was made (KD) and seconded (AG) to approve the application for sidewalk café permit renewal for use by Café Europa located at 1256 Acushnet Avenue (Map 93, Lot 11) in the Mixed Use Business zoning district.

Motion passed unopposed.

ITEM 3 – Case 19-17: Sidewalk Café Permit Renewal for use by Slainte Irish Pub located at 34 Union Street (Map 47, Lot 39) in the Industrial A (IA) zoning district and Downtown Business Overlay District (DBOD), and Bedford Landing Historical District. Applicant: Barry Flynn, 34 Union Street, New Bedford, MA 02740.

There being no presenter on the matter and no board questions, a motion was made (KD) and seconded (AG) to open the public hearing.
Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor or opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.
Motion passed unopposed.

There being no board discussion, a motion was made (KD) and seconded (AG) to approve the application for sidewalk café permit renewal for use by Slainte Irish Pub located at 34 Union Street (Map 47, Lot 39) in the Industrial A (IA) zoning district and Downtown Business Overlay District (DBOD), and Bedford Landing Historical District.

Motion passed unopposed.

ITEM 4 – Case 20-17: Sidewalk Café Permit for use by Greasy Luck located at 791-797 Purchase Street (Map 52, Lot 292) the Mixed Use Business zoning district, Downtown Business Overlay District (DBOD), and Central Business District. Applicant: 791 Purchase Street, LLC, 222 Field Street, New Bedford, MA 02740.

Christian Farland, president of Farland Corp, and a partner at the Greasy Luck Brewery, submitted revised plans.

A motion was made (KD) and seconded (AG) to receive and place the same on file.
Motion passed unopposed.

Mr. Farland explained the revisions submitted after recommendations from the staff planner and Liquor Licensing Board.
He invited board questions.

After brief board discussion with the applicant regarding the reduction of seating, a motion was made (KD) and seconded (AG) to open the public hearing.
Motion passed unopposed.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, City Councilor Hugh Dunn (Ward 3) stated he wished to testify in favor of the sidewalk permit.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in favor or opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.
Motion passed unopposed.

There being no board discussion, a motion was made (KD) and seconded (AG) to approve the application for sidewalk café permit for use by Greasy Luck located as modified and presented to the Planning Board this evening for the establishment located at 791-797 Purchase Street (Map 52, Lot 292) in the Mixed Use Business zoning district, Downtown Business Overlay District (DBOD), and Central Business District.
Motion passed unopposed.

After Chairperson Dawicki's inquiry of the public present, the agenda proceeded in order.

CONTINUED PUBLIC HEARINGS

ITEM 5 - Case 07-16: Request by applicant for Extension of Site Plan approval for a 4,547+/- SF commercial parking lot located at the east side of Acushnet Avenue (Map 93, Lot 68) in the Mixed Use Business (MUB) zoning district. Applicant's agent: Comprehensive Design-Build Services, P.O. Box 578 West Wareham, MA 02575.

This case was continued from the May 10, 2017 Planning Board meeting. Armando Pereira of Comprehensive Design-Build Services stated the applicant is requesting an extension due to technical findings in the decision that needed to be cleared and the drawings finalized. He stated they were also unaware of the availability of a building permit in part, allowing them to proceed with some of the work. They also needed to provide new drainage calculations, and finally got the permit mid-March 2017. He stated they are seeking a six month extension.

After brief board discussion with the applicant regarding modification of the drainage and the final submission of the same, a motion was made (KD) and seconded (AG) to re-open the public hearing.
Motion passed unopposed.

There was no response to Chairperson Dawicki's invitation to speak or be recorded in favor or opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.

Motion passed unopposed.

After brief board discussion on conditions for extension of the Site Plan approval, a motion was made (KD) and seconded (AG) to grant the applicant's request for a six month extension of site plan approval from the date of completion of the initial site plan approval, extending the approval to September 23, 2017, for the 4,547+/- SF commercial parking lot located at the east side of Acushnet Avenue (Map 93, Lot 68) in the Mixed Use Business (MUB) zoning district, pending DPI approval of the revised plans submitted.

Motion passed unopposed.

PUBLIC HEARINGS

ITEM 6 – Case 21-17: Pub 6 T 5 – Request by applicant for new Ground Sign located at 736 Ashley Blvd (Map 126, Lots 65 & 66) on a 0.48 acre site in the Mixed Use Business (MUB) zoning district. Applicant: Richard F. Trapilo for 736 Ashley Blvd Realty Trust, 736 Ashley Blvd, New Bedford, MA 02745.

Richard Trapilo, owner of the subject property, formerly the Sixth Bristol Social Club, stated he has worked closely with city departments regarding the plan for a family style restaurant, which will require a new sign. He invited questions.

Chairperson Dawicki confirmed that the applicant had reviewed the staff comments.

In response to Board Member Cruz, the applicant stated with regard to property lines the sign will be placed in the existing location within the property boundary lines.

A motion was made (KD) and seconded (PC) to receive and place on file additional color copies of the sign. Motion passed unopposed. Chairperson Dawicki noted that sign color/finish per staff comments will be clearly defined for final city planner review.

In response to Board Member Cruz, Mr. Trapilo stated the sign will consist of a pole fastened with proper footings, improving visibility from the side street.

Chairperson Dawicki noted the applicant's waiver requests, listing the same.

A motion was made (KD) and seconded (AG) to open the public hearing.
Motion passed unopposed.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, City Councilor-at-Large Linda Morad stated she had worked with the applicant regarding the remodeling of the property. She stated the sign, as designed, has significance to the applicant. She stated the business owner is investing his own money and not looking for any tax relief. She stated the restaurant will serve the north end and surrounding communities, and encouraged the board's support of the project.

There was no response Chairperson Dawicki's further invitation to speak or be recorded in favor.
There was no response Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.
Motion passed unopposed.

After brief comments from board members, including the significance of the sign and the planning staff

recommendations, a motion was made (KD) and seconded (AG) to approve the request by the applicant for a new ground sign at Pub 6 T 5 located at 736 Ashley Blvd (Map 126, Lots 65 & 66) on a 0.48 acre site in the Mixed Use Business (MUB) zoning district, and to stipulate that as part of the request that the waivers be granted. Also, that the applicant agrees to the following staff recommendations [and general conditions]:

- that the sign color be clearly defined and approved by the city planner;
- that the old sign be removed; and
- that the height be within the fifteen (15) limits.

Motion passed unopposed.

ITEM 7 - Case 22-17: Greater New Bedford Community Health Center (Pediatric Floor Addition) request by applicant for Site Plan approval for the expansion of an existing medical center, located at 874 Purchase Street (Map 53, Lots 30, 73, 75 & 77), on a 0.92 acre site in the Mixed Use Business (MUB) zoning district. Applicant's agent: SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA.

ITEM 8 - Case 23-17: Greater New Bedford Community Health Center (Pediatric Floor Addition) - Request by applicant for Special Permit for parking space reduction located at 874 Purchase Street (Map 53, Lots 30, 73, 75 & 77), on a 0.92 acre site in the Mixed Use Business (MUB) zoning district. Applicant's agent: SITEC, Inc., 449 Faunce Corner Road, Dartmouth, MA 02747.

Steve Gioiosa of SITEC, Inc., spoke on behalf of the proposal and introduced project architect Kevin Caldwell and representatives of the health care center. Mr. Gioiosa described the site location, including the close proximity to the Elm Street Garage, which the applicant felt was an important element under the Special Permit request to be considered. He noted the building occupies the majority of the parcel's footprint. He stated the health center has served community needs for a number of years.

Mr. Gioiosa reviewed the shaded and highlighted site plan, noting the existing building. He then pointed out the area of the planned construction of a second floor addition. He noted there will be no proposed expansion of the existing building footprint. He stated the expansion will provide 11,000+/- S/F of new medical office space. He referenced a 2016 Planning Board approval for a 5,000+/- S/F expansion to the building, which will now be changed to the proposal before the board this evening.

Mr. Gioiosa noted there is a small parking area within the courtyard which provides fourteen parking spaces that would remain unchanged. He referenced drainage improvements installed approximately ten years ago at the site. He stated the exterior finish materials would match the existing brick facade.

Mr. Gioiosa noted the zoning requirement for parking allotment prior to expansion is seventy-four parking spaces and the expansion would increase the requirement to eighty-six spaces. He stated the health care facility services a significant number of walk-up patients, in addition to those who utilize public transportation. He stated that projections are 8-10 new employees and 12-16 new patients per day.

In alleviating a previous board concern, Mr. Gioiosa assured the board a third level is not proposed for construction.

Chairperson Dawicki reminded the board and agent of the past proposal concern with the finished roof height. Mr. Caldwell (Caldwell Architectural Associates of New Bedford) confirmed the roof material will be white rubber EPDM similar to other construction materials used. Caldwell stated the previously approved project roof line was to rise 6' below the adjacent Bamboo Garden restaurant roof. He asked that this condition be modified to rise no higher than 4' below the abutting roof line.

Board Member Duff and Mr. Gioiosa discussed existing parking availability and parking reduction figures, as well as prior drainage improvements in relation to present roof run-off. Mr. Gioiosa noted there is no discharge of storm water in the public way.

A motion was made (KD) and seconded (AG) to open the public hearing.
Motion passed unopposed.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, Eleanor Lewis (Center Street, New Bedford), Chairman of the GNBCHC Board of Directors, expressed she had addressed the board on the previously approved expansion, and was hopeful the board would see how much more the health center has to offer the City of New Bedford residents related to health care, namely in pediatric, dental and eye services, et cetera through this revised plan.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, Daniel Bertoldo (Susan Street, New Bedford), Interim CEO of GNBCHC, explained that patient surveys indicate that more than 2/3 of patients are dropped off or utilize public transportation. He noted that Elm Street Garage parking is validated. He concluded by noting the proposed expansion will allow pediatric providers to better serve the city residents.

In response to Chairperson Dawicki's further invitation to speak or be recorded in favor, Benjamin Ng, of the adjacent Bamboo Garden restaurant, stated they have no objection to the change in the roof height from 6' to 4' and welcome the new development in the downtown.

In response to Chairperson Dawicki's further invitation to speak or be recorded in favor, Councilor Dana Ribeiro stated she supports the project and work GNBCHC does in the community. She highlighted the origin of the medical care center and stated the facility has helped thousands meet health care needs. She encouraged the board's support of the expansion.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in favor.
There was no response to Chairperson Dawicki's invitation to speak or be recorded in opposition.

A motion was made (KD) and seconded (AG) to close the public hearing.
Motion passed unopposed.

After brief board discussion regarding waivers, approval conditions, the board's past approval, and the services the Health Center provides to the city, a motion was made (KD) and seconded (AG) to approve the application relative to Greater New Bedford Community Health Center for approval of Site Plan for the expansion of an existing medical center, located at 874 Purchase Street (Map 53, Lots 30, 73, 75 & 77), on a 0.92 acre site in the Mixed Use Business (MUB) zoning district, with these stipulations [and general conditions]:

- That the requested waivers are granted;
- That the applicant agree to the staff comments and make the recommended changes relative to the application before submitting a final application;
- And, that the roof height be no greater than 4' below the adjacent neighboring restaurant to the south.

Motion passed unopposed.

A motion was made (KD) and seconded (AG) to approve the application for reduction in parking relative to Greater New Bedford Community Health Center for Special Permit for a total parking space reduction of 72 spaces, reducing the required 86 parking spots to the fourteen (14) existing in the courtyard, for property located at 874 Purchase Street (Map 53, Lots 30, 73, 75 & 77), on a 0.92 acre site in the Mixed Use Business (MUB) zoning district, with this stipulation:

- That the applicant agrees to secure the necessary parking spots at the Elm Street garage and confer with the planning staff once the parking spots are secured.

Motion passed unopposed.

At the request of Chairperson Dawicki, a motion was made (KD) and seconded (AG) to take the agenda out of order.

Motion passed unopposed.

At the request of Chairperson Dawicki, Staff Planner Connie Brawders provided the board with a flow chart for the process of considering plans for subdivision approval. She explained that before submitting a Definitive Subdivision Plan for consideration by the board, the applicant must submit a Preliminary Subdivision Plan, as per city of New Bedford Subdivision Regulations. Ms. Brawders highlighted the filing process, protocols, and time stipulations, which include comments to be received by the board for application consideration from reviewing departments (i.e., Board of Health, Department of Public Infrastructure, Conservation Commission, Department of Public Infrastructure, Fire Department, Solicitors, and School Department). Absent such comments, the Board may assume there is no objection with the proposal from the reviewing department.

ITEM 9 – Whaler’s Woods Estates Definitive Subdivision: Request by applicant, Long Built Homes, Inc., for a reduction of cash surety. Applicant’s agent: Atty. Lee Castignetti, Jr., Long Built Homes, Inc., 158 Charles McCombs Boulevard., New Bedford, MA 02745.

Atty. Lee Castignetti, In House Counsel for Long Built Homes, reported to the board that the development was 100% complete, as confirmed by the Department of Public Infrastructure. Castignetti stated Long Built Homes now requests the release of the balance of surety under Subdivision Regulations Article IV B, 1-5; less \$10,000.00 for the two open ended line items: cleaning of the detention basins area, and administrative fees.

Staff Planner Connie Brawders noted that DPI forwarded information to City Council. She noted the applicant should come back to the board for a recommendation of road acceptance, and the Planning Division will keep apprised of DPI comments regarding any unfinished items.

There was discussion regarding maintenance of the sign and homeowner association requirements commonly set forth in a trust, which was not done when this subdivision was initially approved. Atty. Castignetti shared that some owners might agree to an informal association for maintenance purposes, but he did not believe that would provide any enforcement ability.

Ms. Brawders suggested a condition that the sign be removed if the sign is in the public right of way, as has been a past practice.

After confirming DPI’s approval, a motion was made (KD) and seconded (AG) to approve the request by Whaler’s Woods Estates for a reduction of cash surety to \$10,000.00.

Motion passed unopposed.

As the applicant for **Case 24-17: Stony Brook Farm Definitive Subdivision (f/k/a Northside Farm)** was not present at the call of their case, a motion was made (KD) and seconded (PC) to take the agenda out of order.

Motion passed unopposed.

ITEM 10 – Case 25-17 - Audrey Rose Farms Definitive Subdivision – Request by applicant for approval of a four (4) lot subdivision, located on a 2.11+/- acre site off Lantern Lane (Map 80, Lots 140 & 141), in the Residence A (RA) zoning district. Applicants/Owners: Kathy M. Denher, 1259 Rockdale Avenue, New Bedford,

MA 02740 and Christian A. and Elizabeth R. Farland, 555 Lantern Lane, New Bedford, MA 02740.

Board Member Glassman recused himself from hearing this matter due to a business relationship. Board Member Cruz provided the board with a Notice of Potential Conflict of Interest. Staff Planner Brawders indicated that with Board Member Cruz absent there would be no quorum and the matter could not proceed. Therefore, by reason of necessity, Board Member Cruz will hear the matter. She noted that in order to pass, there must be a unanimous vote of the remaining members present.

Christian Farland, Engineer and President of Farland Corp, as well as the owner of 555 Lantern Lane, went over the property specifics and requirements associated with the potential subdivision. He stated there are currently two residential dwellings on the site which will remain, leaving only two additional lots. He addressed site topography and abutting property sizes. He stated the two remaining lots have frontage.

Mr. Farland stated that after reviewing staff comments, he disagreed with the majority of them. He stated that projects in general within the City of New Bedford have the same issues. Mr. Farland noted that while his company is located in the city, he does permitting throughout the Commonwealth. He stated that one issue is that in order to file a subdivision plan one must also file a site plan submittal, which is geared toward commercial development. He stated he finds this to be a longstanding fault in the city's permitting process. He is hopeful that it will be addressed at some point, as it gives New Bedford a bad reputation for delayed permits.

Mr. Farland stated he also disagreed with the staff planner comment with regard to the initial filing of a preliminary plan. He stated one had been filed [in 2007] and went unacted upon. He stated in accordance with M.G.L if not acted upon, it is constructive approval for the subdivision. He added that under Mass General Law, a preliminary plan is not actually required, adding that one was however filed for a six (6) lot subdivision. Mr. Farland noted that the four (4) lot subdivision request now before the board is even less stringent.

Mr. Farland noted that staff comments state the plan is a substantial difference. He stated, substantial in his opinion, would be a twelve (12) lot subdivision.

He stated in this case, the preliminary plan and the definitive plan will be the exact same plan. He welcomed discussion of any issues the board may have regarding the plan, and stated he was amenable to continuing the matter.

Mr. Farland stated he is requesting a few typical waivers, such as a 40' right of way, a roadway width of 24', and sidewalks, all consistent with the surrounding neighborhood. He noted he had met with the Department of Public Infrastructure and concurs with their comments. He stated he has received no negative comments from any of the other municipal boards and departments the plan was submitted to, inferring they were in favor of the project.

Mr. Farland discussed the storm water design, both original and modified. He discussed landscaping, including tree preferences. He also discussed Washingtonian streetlights and lighting. He again stated he disagrees with the site plan requirements, which are more commercial development oriented and require a lighting plan showing foot candles, a detailed landscape plan, architectural drawings, et cetera. He believes such requirements and regulations cost the city money in regard to developers who turn away from the city.

Mr. Farland stated denial of a subdivision requires substantial evidence requiring the denial. He stated this four lot subdivision meets the zoning requirements. He was hopeful the planning board would agree.

Chairperson Dawicki encouraged Mr. Farland to continue to pursue the changes he mentioned regarding the

current process for subdivisions.

In response to Board Member Duff, Mr. Farland stated that access to the existing house in the back of the parcel has an easement from Rockdale Avenue and has a shared driveway, addressing any frontage issues. Mr. Farland confirmed for Board Member Duff and Cruz the lack of sidewalks/walkways in the area.

Mr. Farland and Board Member Cruz discussed erosion control during construction.

Chairperson Dawicki suggested the board members review the staff comments and any issues regarding the same.

Mr. Farland commented on the same, disagreeing with the requested soil survey information, test pits, et cetera, and stated if required, he would seek waivers for the same.

Mr. Farland stated he disagreed with combining the survey plan with site development, as the survey plan is what will be recorded at the registry; as well as parks and playgrounds not displayed; and general construction notes, which he stated have been provided. He stated a contractor must abide by DPI comments/regulations and be licensed by the city for roadway work. He added that all roadways and utilities are inspected, but agreed to put such notes on the plan. He took issue with the garbage pick-up comments, utility grading, and roadway profile for a subdivision this size, along with the development impact statement request. He agreed to add landscaping tree caliber and erosion control notes, as well as profile of the cross section. He noted the lot sizes in this family compound are well in excess of what could have been put in.

He again stated that when a subdivision is in contention, other boards will have issues with it, and in this case no other board has expressed an issue.

Chairperson Dawicki stated that the board may ask Mr. Farland to update his list of requested waivers, and she went over some of the points of contention.

Ms. Brawders stated that test pit requirements for each lot from the city subdivision regulations and all information in the staff report are gleaned directly from the site plan review checklist and subdivision regulations, which do not separate minor and major subdivisions. She suggested that a dialogue about the applicant's intention for the requested subdivision may have addressed some of the issues.

After board discussion regarding what they would like to see submitted by the applicant for a future meeting, a deadline on completion of the project (stated as the end of 2017), and input on a solicitor opinion regarding the cul-de-sac length.

A motion was made (KD) and seconded (AK) to open the public hearing.
Motion passed unopposed.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, Councilor Hugh Dunn stated his support of the proposed subdivision. He felt the project is not profit driven, but a family complex. He stated Mr. Farland has a proven track record and expects the project will be top quality.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor, Kathy Denher stated this land was formerly purchased by her parents and was their dream. She noted an adjacent subdivision carved from the former Law's Chicken Farm land subsequently built fifteen houses, while this project consists of a few Farland family house lots.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in favor.

In response to Chairperson Dawicki's invitation to speak or be recorded in opposition, Joe Giesta (516 Lantern Lane) stated he was not against the project but had concerns. He stated he wants a guarantee that it will stay a cul-de-sac for assurance regarding his autistic son's and traffic safety. He stated he was also concerned about excess rain water causing large pooling, and wondered if there would be catch basins installed by the city. He also stated he would like any homes built to maintain the neighborhood character.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in opposition.

Chairperson Dawicki read into the record a letter of June 13, 2017 received by the planning office from Judith Lilla. The letter included questions regarding the project, such as any additional future subdivision by the owner, lighting plans, traffic, et cetera.

In response to Chairperson Dawicki's further invitation to speak or be recorded in opposition, Frank Pina of 508 Lantern Lane stated his concern was that any road attachment to Rockdale Avenue would change neighborhood traffic affecting, the value of his home.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in opposition.

Chairperson Dawicki suspended the public hearing.

In response to public questions, Mr. Farland stated he did not foresee the cul-de-sac ever being replaced or continued to Rockdale Avenue. He stated he wants to maintain the neighborhood characteristics. He addressed the depressed area causing water build-up which drains naturally currently, and will be regraded to direct flow toward the catch basin. He stated his goal in development is also that water run-off is less post development, and noted the calculations had been provided to DPI. He addressed traffic, lighting and construction effects.

After briefly discussing the needs and issues of the current ordinance, a request for updated plans and waivers from the applicant, and written departmental review confirmations, a motion was made (KD) and seconded (PC) to request an opinion from the city solicitor regarding the construction of the proposed cul-de-sac by the next planning board meeting on July 12, 2017.

Motion passed unopposed.

With the applicant's agreement, a motion was made (KD) and seconded (PC) to continue **Case 25-17 - Audrey Rose Farms Definitive Subdivision** to the July 12, 2017 planning board hearing.

Motion passed unopposed.

ITEM 11 - Case 24-17 - Stony Brook Farm Definitive Subdivision (f/k/a Northside Farm) – Request by applicant for approval of a 15-lot residential subdivision plus one (1) lot mixed use parcel, located on a 12+/- acre site east of Acushnet Avenue, south of Phillips Road and north of Victoria Street (Map 130D, Lots 117, 379-387, 392-419), in the Residence A (RA) and Mixed Use Business (MUB) zoning districts. Applicant/Owner: New Bedford Cousins, LLC, P.O. Box 36, Scituate, MA 02066.

John Cavanaro, of Cavanaro Consulting, introduced Atty. Blanchard representing the applicant.

Mr. Cavanaro presented a time line, received into the record describing the project history. Because of the significant due diligence for proposed development of the Northside Farm subdivision, the applicant submitted a waiver petition for consideration by the board from requirements of a Preliminary Subdivision plan submittal.

Mr. Cavanaro stated the new definitive plan illustrates lots are three times the (8,000 SF) minimum lot size and the green space has been increased. He stated his desire for this evening's outcome is to gain direction regarding staff comments provided in the June 14 Staff Report.

At Chairperson Dawicki's request, a motion was made (KD) and seconded (PC) to open the public hearing to accommodate members of the public waiting to speak.

In response to Chairperson Dawicki's invitation to speak or be recorded in favor or opposition, abutter Paul Lemaire (967 Victoria Street) stated he wanted to refrain from commenting until after hearing remarks by the Planning Board.

There was no response to Chairperson Dawicki's further invitation to speak or be recorded in favor or opposition.

Chairperson Dawicki suspended the public hearing.

There was a brief discussion for clarification of the timeline/process of utility installations, maintenance, use and access of the utility easement for water and sewer to tie in through [paper street] Monson Street, including city rights to use Monson Street.

Board members concurred that a waiver for Preliminary Subdivision plan presentation was appropriate.

With regard to the staff report, Board member P. Cruz requested a copy of the traffic study generated for the 2005 subdivision application, and Chair Dawicki asked that the applicant provide a new development impact statement for Stoney Brook Farm. Also, the board asked for clarification on gateway signage for the subdivision with establishment of a home owner's association to provide for care and maintenance of such signage once the subdivision is finalized and private road is accepted as a public street.

With the applicant's assent, a motion was made (KD) and seconded (AG) to continue this matter **Case 24-17 - Stony Brook Farm Definitive Subdivision (f/k/a Northside Farm)** to the July 12, 2017 planning board hearing. Motion passed unopposed.
Motion passed 5-0

OTHER:

Ms. Brawders stated that notices received are available for review at the Planning Division Office.

Board Member Duff informed that board that she is occasionally stopped and thanked for her service on the planning board. She wanted her colleagues to know their work and professionalism is appreciated.

ADJOURNMENT:

There being no further business, a motion was made (KD) and seconded (AG) to adjourn at 9:03 p.m. Motion passed unopposed.

NEXT PLANNING BOARD MEETING IS SCHEDULED FOR JULY 12, 2017