



Town Clerk-Dighton, MA

PLANNING BOARD

Regular Meeting

Wednesday, May 3, 2023

Old Town Hall

1111 Somerset Ave, Dighton, MA 02715

Jeff Carvalho, Chairman
Daniel Higgins, Vice Chairman
Christopher Cunha, Clerk
Joseph Figueiredo, Member
Robert J. Woods, Member

JUN 22 2023

Video and audio of the meeting is available on Comcast Local TV9 or on the Town of Dighton Planning & Land Use YouTube Channel.

Time:

By:

Meeting was called to order by Chairman Jeff Carvalho at 7:03 PM.

The Pledge of Allegiance was recited.

Chairman Jeff Carvalho declared all Planning Board seats vacant.

Robert Woods motioned, Joseph Figueiredo seconded to nominate Jeff Carvalho as Chairman.

VOTE:	ROBERT WOODS	AYE
	JOSEPH FIGUEIREDO	AYE
	CHRISTOPHER CUNHA	AYE
	DANIEL HIGGINS	AYE

Jeff Carvalho accepted the nomination.

Robert Woods motioned, Jeff Carvalho seconded to nominate Daniel Higgins as Vice Chairman.

VOTE:	JEFF CARVALHO	AYE
	ROBERT WOODS	AYE
	JOSEPH FIGUEIREDO	AYE
	CHRISTOPHER CUNHA	AYE

Daniel Higgins accepted the nomination.

Joseph Figueiredo motioned, Jeff Carvalho seconded to nominate Christopher Cunha as Clerk.

VOTE:	JEFF CARVALHO	AYE
	ROBERT WOODS	AYE
	JOSEPH FIGUEIREDO	AYE
	DANIEL HIGGINS	AYE

Christopher Cunha accepted the nomination.

The Board determined that the next scheduled meeting is May 17, 2023 at 7:00 PM.

REVIEW/DISCUSS/ACT: Form A Application: ALE Realty Trust, 418 Old Somerset Avenue (Map 4, Lot 50)

Member Joseph Figueiredo recused himself from the matter as he knows the owner.

A plan of land dated April 18, 2023 pertaining to property located at 418 Old Somerset Avenue and owned by ALE Realty Trust (Assessors Map 4, Lot 5) prepared by Lighthouse Land Surveying, LLC, and presented by Roy Delano, PE for review and action. The proposed Form A application seeks to convey 144,423 s.f. (3.313 acres) to create Parcel "A" and combine it with abutting land of Dawn Lynch 385 Riverside Avenue (Map 4, Lot 24).

Although 385 Riverside Avenue has sufficient frontage it was determined that the frontage is not being affected and has sufficient acreage, therefore, it was determined that the plan met or exceeded all minimum requirements. Donald and Karen O'Connor of 440 Old Somerset Avenue inquired if there will be building on the remaining land and it was explained that there is no plan at this time. The Mylar was signed and presented to Mr. Delano for recording.

Robert Woods motioned, Christopher Cunha seconded to approve the Form A Application for Endorsement of Plan Believed Not to Require Approval for a plan of land dated April 18, 2023, prepared by Lighthouse Land Surveying, LLC, for property known as 418 Old Somerset Avenue (Map 4, Lot 50).

VOTE:	JEFF CARVALHO, CHAIRMAN	AYE
	DANIEL HIGGINS, VICE CHAIRMAN	AYE
	CHRISTOPHER CUNHA, CLERK	AYE
	JOSEPH FIGUEIREDO, MEMBER	ABSTAINED
	ROBERT WOODS, MEMBER	AYE

Bell Farm Estates, 0 Milk Street (Map 17, Lots 10, 135 & 208), Withdrawal of Preliminary of Subdivision Land

The Board received and read into record a letter dated April 25, 2023 from Chris Vandenberghe, PE, Civil & Environmental Consultants, Inc., on behalf of Carl Rebello requesting a withdrawal without prejudice regarding the preliminary subdivision plan application as the current Order of Resource Area Delineation has expired.

Christopher Cunha motioned, Joseph Figueiredo seconded to accept the withdrawal without prejudice the preliminary subdivision plan of Bell Farm Estates, 0 Milk Street (Map 17, Lots 10, 135 & 208).

VOTE:	JEFF CARVALHO, CHAIRMAN	AYE
	DANIEL HIGGINS, VICE CHAIRMAN	AYE
	CHRISTOPHER CUNHA, CLERK	AYE
	JOSEPH FIGUEIREDO, MEMBER	AYE
	ROBERT WOODS, MEMBER	AYE

2023-2024 SRPEDD Commission Member Appointment

The Board seeks to make the annual appointment for the Planning Board's representative to the SRPEDD Commission. SRPEDD is a regional planning agency that undertakes regional planning and deliver cost-effective planning-related technical assistance to municipalities that they serve.

Robert Woods motioned, Joseph Figueiredo seconded to nominate and appoint Jeff Carvalho as the 2023-2024 SRPEDD Commissioner Member for the Planning Board.

VOTE:	DANIEL HIGGINS, VICE CHAIRMAN	AYE
	CHRISTOPHER CUNHA, CLERK	AYE
	JOSEPH FIGUEIREDO, MEMBER	AYE
	ROBERT WOODS, MEMBER	AYE

REVIEW OF ZONING BYLAW SECTION: 5400. Site Plan Review

The Board continued their review of the Zoning By Law Section 5400 Site Plan Review as they pertain to other sections in the By Laws and to provide discussion so that the public can gain understanding of what is required for filing. The Board’s goal is also to present any amendments at the fall Special Town Meeting.

Comments were incorporated and presented from discussions that took place at the April 5, 2023 meeting.

In reviewing Section 5400 it was determined some clarification is needed and potential Zoning By Law amendments maybe required. In particular:

- Chairman Carvalho reached out to Town Administrator Mullen to see if the school district has any plan/study on growth within the school. As of the date of the meeting no word has been received. This matter will be followed up.
- Section 5460: “...shall aggregate all such applications made within 5 previous calendar years.” The applications are filed by property. Therefore, should a minor application be applied for one property beyond the five allowed, then the application will be rejected.
- Section 5460: should the threshold be “...not exceed a total gross floor area of 2000 square feet, *and/or* will not generate the need for more than 10 parking spaces,”?
- Section 5700 Separability: this is a typo and should read Severability
- The Board needs to be firmer on what is a minor vs. a major site plan review, as well as, submittal requirements unless waivers are requested in writing.
- Discussion included site plan reviews for parking only, granting waivers and working with business owners to keep business in town.

The Board determined to spend some more time reviewing Section 5340 and continue the discussion at the next scheduled meeting.

Approval of Meeting Minutes

Christopher Cunha motioned, Robert Woods seconded to approve the meeting minutes of April 5, 2023.

VOTE:	JEFF CARVALHO, CHAIRMAN	AYE
	DANIEL HIGGINS, VICE CHAIRMAN	AYE
	CHRISTOPHER CUNHA, CLERK	AYE
	JOSEPH FIGUEIREDO, MEMBER	AYE
	ROBERT WOODS, MEMBER	AYE

Correspondence

None.

Public Input

None.

Adjournment

Christopher Cunha motioned, Joseph Figueiredo seconded to adjourn at 7:39 PM.

VOTE:	JEFF CARVALHO, CHAIRMAN	AYE
	DANIEL HIGGINS, VICE CHAIRMAN	AYE
	CHRISTOPHER CUNHA, CLERK	AYE
	JOSEPH FIGUEIREDO, MEMBER	AYE
	ROBERT WOODS, MEMBER	AYE

Respectfully submitted,
Kerrie J Easterday
Office Manager
Planning Board

List of Documents Presented at Meeting: