



PLANNING BOARD
Regular Meeting
Wednesday, April 5, 2023
Prime Time Building
1059 Somerset Ave, Dighton, MA 02715

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

RECEIVED
Town Clerk-Dighton, MA

MAY 04 2023

Time: 10:47 am

By: [Signature]

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

Meeting was called to order by Chairman Jeff Carvalho at 7:00 PM.

The Pledge of Allegiance was recited.

The Board determined that the next scheduled meeting is April 19, 2023 at 7:00 PM.

REVIEW/DISCUSS/ACT: Form A Application: Michael & Paula Soroka, 1118 Smith Street (Map 10, Lot 13)

A plan of land dated March 6, 2023 pertaining to properties located at 1156 Smith Street and owned by Michael and Paula Soroka (Map 10, Lot 13) and 1118 Smith Street and owned by Cathie and Angelo Rebelo (Assessors Map 10, Lot 12-01) was prepared by Zenith Land Surveyors, LLC, and presented by Nyles Zager, PE for review and action. The proposed Form A application seeks to convey 74,345± s.f to create Parcel "A" and combine it with lot 1118 Smith Street (Map 10, Lot 12-01) for a new combined lot are of 154,507 s.f. with 266.80' of frontage. The purpose of combining the land is to have an area for horses to graze.

Although 1156 Smith Street (Map 10, Lot 13) has a frontage of 104.60' 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. The Mylar was signed and presented to Mr. Zager for recording.

Joseph Figueiredo 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 March 6, 2023, prepared by Zenith Land Surveyors, LLC, for property known as 1118 Smith Street (Map 10, Lot 13).

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

Comments were incorporated and presented from discussions that took place at the March 15, 2023 meeting.

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

- Section 5420 Procedures: the following language “No building permit or certificate of occupancy shall be issued by the Building Commissioner without the written approval of the site plan by the Planning Board, unless sixty (60) days lapse from the date of the submittal of the site plan without action by the Planning Board” needs clarification and/or re-written. The Board feels that, as written, if the Planning Board doesn’t act on the site plan review then the building commissioner is required to issue the certificate of occupancy.
- Section 5445 Development Impact Statement: the current noted Section 5330 should be amended to the correct Section 5340. What triggers the requirement?
- Section 5450 Waiver of Compliance: consider amending so that requests may be submitted in writing or made verbally.

The Board determined to spend some more time reviewing the Site Plan Review By Law 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 March 15, 2023.

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

Correspondence

None.

Public Input

None.

Adjournment

Christopher Cunha motioned, Joseph Figueiredo seconded to adjourn at 8:06 PM.

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

Respectfully submitted,
Kerrie J Easterday
Office Manager
Planning Board

List of Documents Presented at Meeting: